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LEGISLATIVE HISTORY

Public Law 87-410
H. R. 8842

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INDEX AND SUMMARY OF H. R. 8842

Aug. 22, 1961	Rep. Breeding introduced and discussed H. R. 8842 which was referred to the House Agriculture Committee. Print of bill as introduced and remarks of Rep. Breeding.
Aug. 31, 1961	House Subcommittee of Agriculture Committee voted to report H. R. 8842 to the full committee.
Sept. 7, 1961	House committee reported H. R. 8842 with amendments. H. Report No. 1148. Print of bill and report.
Sept. 12, 1961	Sen. Carlson introduced S. 2532 which was referred to the Agriculture and Forestry Committee. Print of bill as introduced.
Sept. 18, 1961	House passed H. R. 8842 as reported.
Sept. 19, 1961	H. R. 8842 was referred to the Senate Agriculture and Forestry Committee. Print of bill as referred.
Feb. 7, 1962	Senate committee voted to report H. R. 8842 without amendment.
Feb. 8, 1962	Senate committee reported H. R. 8842 without amendment. S. Report No. 1209. Print of bill and report.
Feb. 20, 1962	Senate passed H. R. 8842 without amendment.
Mar. 3, 1962	Approved: Public Law 87-410.

THE HISTORY OF THE UNITED STATES

1. The first settlement in the United States was made by the Pilgrims in 1620.	1620	1620
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DIGEST OF PUBLIC LAW 87-410

WHEAT. Amends the Agricultural Enabling Amendments Act of 1961 to permit a producer on a wheat farm with underproduction in 1962 to withdraw from his stored excess an amount of wheat equal to the amount by which the normal production of his 1962 farm wheat acreage allotment exceeds the actual production on his farm plus the normal production of the acreage diverted from the 1962 allotment.

H. R. 8842

IN THE HOUSE OF REPRESENTATIVES

AUGUST 22, 1961

Mr. BREEDING introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To amend subsection (h) of section 124 of the Agricultural Enabling Amendments Act of 1961.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That subsection (h) of section 124 of the Agricultural En-
4 abling Amendments Act of 1961 be amended by striking,
5 following the word "subsection", "(a) or", and following
6 the words "diverted acres" insert "of the 1962 allotment".

87TH CONGRESS
1ST SESSION

H. R. 8842

A BILL

To amend subsection (h) of section 124 of the
Agricultural Enabling Amendments Act of
1961.

By Mr. BREEDING

August 22, 1961

Referred to the Committee on Agriculture

entitled to admission to, and to require reports from the operator of, any metal or non-metallic mine which is in a State (excluding any coal or lignite mine), the products of which regularly enter commerce or the operations of which substantially affect commerce, for the purpose of gathering data and information necessary for the study authorized in the first section of this Act.

(b) As used in this section—

(1) the term "State" includes the Commonwealth of Puerto Rico and any possession of the United States; and

(2) the term "commerce" means commerce between any State and any place outside thereof, or between points within the same State but through any place outside thereof.

SEC. 3. The Secretary of the Interior shall submit a report of his findings, together with recommendations for an effective safety program for metal and nonmetallic mines (excluding coal and lignite mines) based upon such findings, to the Congress not more than two years after the date of enactment of this Act.

The SPEAKER pro tempore. Is a second demanded?

Mr. HIESTAND. Mr. Speaker, I demand a second.

Mr. ZELENKO. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

(Mr. POWELL (at the request of Mr. ZELENKO) was given permission to extend his remarks at this point in the RECORD.)

Mr. POWELL. Mr. Speaker, the Committee on Education and Labor now brings before this body H.R. 8341, a measure designed to authorize the Secretary of Interior to conduct a study covering the causes and prevention of injuries, health hazards, and other health and safety conditions in metal and nonmetallic mines—excluding coal and lignite mines.

In the 86th Congress, when I was chairman of a subcommittee of the Committee on Interior and Insular Affairs, safety standards were reviewed by my subcommittee. I was deeply impressed with the pressing need for information and facts concerning safety and the causes of injuries and health hazards. At the present time information and statistics available on this vital subject are spotty, irregular, and exceedingly difficult to assemble. The sole purpose of the bill now before you is to permit the Secretary to assemble this data in a form which lends itself to comprehensive evaluation.

In 1956 and 1957 this committee held hearings in Washington and in several mining areas on the subject of "Safety Standards in Metallic and Nonmetallic Mines." Much evidence was submitted indicating a need for Federal inspection. Accidents and industrial diseases in these mines persist at an abnormally high rate, despite advances made in understanding the causes thereof and in engineering methods of control.

This bill does not propose the imposition of Federal standards in these mines nor does it establish a system of Fed-

eral inspection in this area. It does authorize a study conducted in the field and a means for the Federal Government to secure the data the Department believes is necessary.

The witnesses who appeared before our Select Subcommittee on Labor, under the very able chairmanship of the gentleman from New York [Mr. ZELENKO], emphasized that if we can secure the necessary information, then we may very well discover the techniques required to combat the high disease and injury rate that persists in metallic and nonmetallic mines.

We seek knowledge and not control in this measure.

This committee does have another safety measure before the Rules Committee. That bill deals with coal mine safety, and in a very moderate fashion seeks to protect the small miner from the same hazards we protect the employee who goes underground for a large mine operator. We still hope that we may bring this much-needed legislation before this body in this session.

Our committee will continue to devote itself to the upgrading and modernizing of industrial safety standards in this country. In some instances Federal regulation may be necessary. In others, such as with this bill, H.R. 8341, the means of securing additional knowledge may bring about the desired results. Greatest productivity with greatest safety is our goal.

Let us give the Department of the Interior the means of securing the information needed for accident prevention and to wipe out industrial diseases in these metallic and nonmetallic mines. I am sure when this information is evaluated and disseminated, the mine operators will utilize this knowledge so effectively that further Federal regulation will not be required.

Mr. ZELENKO. Mr. Speaker, I yield such time as he may require to the gentleman from Michigan [Mr. O'HARA].

Mr. O'HARA of Michigan. Mr. Speaker, in 1941 this Congress enacted a bill providing for Federal inspection of coal and lignite mines. In 1952 the Congress amended that act by providing safety regulation of coal and lignite mines.

Mr. Speaker, despite the fact that many of the same conditions that led to the enactment of the Coal Mine Safety Act are present in metallic and non-metallic mines this Congress has never enacted any legislation having to do with safety in such mines.

Mr. Speaker, in the 84th, 85th, and 87th Congresses, bills similar to title I of the Coal Mine Safety Act, providing for Federal inspection of metal and non-metallic mines, were introduced and hearings were held on those bills in all three Congresses. The hearings demonstrated, Mr. Speaker, that there was a serious injury and health hazard condition in these noncoal and nonlignite mines.

The National Safety Council states that underground mining—other than coal—is the second most hazardous industry in the United States.

The hearings further indicated an alarming development with regard to health hazards in the relatively new uranium mining industry. In 1959 the concentration of alpha-emitting particles, radon and radon-daughters, in samples taken in uranium mines by the Bureau of Mines, indicated, Mr. Speaker, that 22 percent of all such air samples were in excess of 10 times the maximum recommended working level. They indicated that 23 percent were from 3 to 10 times the maximum permissible exposure level and that only 1 out of every 3 samples came within recommended working levels.

Now, the significance of this, Mr. Speaker, is that these radioactive products, radon and radon-daughters, are inhaled into the lungs where they expose the tissue to radiation damage, and lung cancer may result. It is expected that a 15- to 20-year exposure to such radioactivity is required before the disease becomes manifest. The uranium industry is a young industry. The data has been collected only since 1950. The peak incidence of lung cancer that could be expected from such exposure has not yet been reached. However, we have already seen, Mr. Speaker, a death rate from lung cancer of 5 to 10 times the expected rate among these uranium miners.

Mr. Speaker, I believe that there is ample evidence to justify a system of inspection by the Federal Bureau of Mines, if not a system of thorough and tight safety regulation.

However, Mr. Speaker, I must confess that our hearings also demonstrated that the data with regard to this matter was not complete; that there was some dispute with regard to the factual information and with regard to the causes of these health hazards, and the need for inspections. For that reason, Mr. Speaker, the subcommittee in its deliberations, in an action accepted by the full committee, amended the bill which I introduced calling for a system of Federal inspection of this type of mining, and substituted H.R. 8341, a clean bill, which provides for a study to be conducted by the Secretary of the Interior.

The study is designed to determine the causes of injuries and health hazards in these mines; the relative effectiveness of voluntary versus mandatory reporting of accident statistics; the relative contribution to safety of inspection programs embodying right-of-entry only and right-of-entry plus enforcement authority; the effectiveness of health and safety education and training; the magnitude of effort and cost of each of these possible phases of an effective safety program for metal and nonmetallic mines; and the scope and adequacy of State min-safety laws applicable to such mines, and the enforcement of such laws.

I urge the adoption of H.R. 8341.

Mr. KEARNS. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Michigan. I gladly yield to my colleague from Pennsylvania, the ranking minority member of the committee.

Mr. KEARNS. Mr. Speaker, we were very proud to report this bill out of committee for the gentleman from Michigan [Mr. O'HARA]. There was nothing stipulated there as to the amount of money to go to the Department of Interior; is that correct?

Mr. O'HARA of Michigan. I now have those figures and I should be happy to give them to the gentleman.

Mr. KEARNS. This is purely a study program, is that right?

Mr. O'HARA of Michigan. That is correct.

Mr. KEARNS. I thank the gentleman.

Mr. HIESTAND. Mr. Speaker, this is quite unlike the bill originally introduced. It has the complete approval of the Department of the Interior. It has had thorough hearings. We have had minority members present at all hearings and, so far as I can determine, there is no opposition to the bill on this side.

Mr. ZELENKO. Mr. Speaker, I yield 3 minutes to the gentleman from Montana [Mr. OLSEN].

Mr. OLSEN. Mr. Speaker, I wish to associate myself with the remarks of the author of the bill, the gentleman from Michigan [Mr. O'HARA]. I wish to compliment him on this legislation. There are health hazards in the mines of the country. There are miners who are suffering from health hazards, that come upon them during their honest employment, such as silicosis and other dust diseases. Therefore there is real merit to a study whereby industry and the States and the Federal Government can and should attack this health problem together.

I sincerely hope that the House will adopt this legislation.

(Mr. OLSEN asked and was given permission to revise and extend his remarks.)

The SPEAKER pro tempore. The question is, Will the House suspend the rules and pass the bill H.R. 8341.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

WHEAT MARKETING QUOTA LAWS AND REGULATIONS

(Mr. BREEDING asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BREEDING. Mr. Speaker, the recently enacted Agricultural Act of 1961 provides, among other things, an emergency 1-year wheat program for the 1962 crop year. The language in this act unintentionally creates a situation which is unfair to a great many of our commercial wheatgrowers.

In a large part of the high-risk area, where crop losses are frequent, it has been customary, in accordance with the provisions of the wheat marketing quota laws and regulations, for some producers to overseed their allotment in some years to build up a reserve which would be

available to sell in case of crop failure. In past years the Congress has recognized this practice, and repeatedly has provided specific language in the law to allow this practice.

This stored wheat could be sold into the market without penalty only in case the production from the allotted acres was less than normal. Thus, a farmer was assured an income even in case of crop failure, and our mills were assured an adequate supply of wheat.

When the recent act was passed, it was the intention of our committee, and I am sure of the entire Congress to continue this practice unchanged. Unfortunately, in drafting the bill, the language which was used results in a serious inequity for these producers.

It was our intention to prevent the acres for which payment is made to be considered as diverted acreage for purposes of releasing stored excess. This is fair, and as it should be. Inadvertently, however, we went further than we intended, with the result that the production from the allotted acres must be reduced by twice the normal yield on the first 10 percent of the acres diverted. This is in effect a double penalty on these producers.

This comes about because of the technical method by which the amount of underproduction is determined. The law provides that the amount of stored excess which may be withdrawn and sold into the market is the amount by which the actual production or the allotted acres is less than the normal production on the allotted acres. In order to prevent the retired acres to be used in determining the normal production for the farm, a provision was included which specifies that in determining the actual production for the farm, the normal yield of the diverted acres shall be deemed to be the actual production.

This provision is equitable when applied to the voluntary 30-percent reduction authorized in the bill. It is not equitable, however, when applied to the first 10-percent reduction, because the allotment on which the normal production of the farm is based has already been reduced by this 10 percent.

The bill which I have introduced will correct this inequity, and permit a wheat producer to withdraw from his stored excess the amount by which he fails to make his normal production on the reduced allotment, less the acres voluntarily retired below the allotment, as we originally intended.

WILLIAM V. SHANNON'S RETIREMENT

(Mr. RYAN asked and was given permission to extend his remarks at this point in the RECORD and to include a newspaper column.)

Mr. RYAN. Mr. Speaker, I ask unanimous consent to insert in the RECORD the following column by William V. Shannon, which appeared in the New York Post on Sunday August 6. In Mr. Shannon's retirement—happily only temporary—the readers of the Post will be deprived of an extraordinary powerful and convincing summary of day by day

events as they occur here in the Nation's Capital. Since the first issue of his reports in April 1951, first as correspondent, later as columnist, the lucidity of his style, the breadth and range of his reporting, the vividness with which he describes the swiftly moving times constitute a liberal education, and one to which I, among many other admirers, am glad to have been exposed. Mr. Shannon recalls that on the evening of the second day after he went to work for the Post here, President Truman removed General MacArthur, and from then on in the decade which followed he covered and commented on one historic event after another.

In this column titled "Au Revoir," Mr. Shannon tells us of the activities to which he will devote himself during the coming year. I am sure that my colleagues in the House will join with me and his readers everywhere in bidding him "Godspeed," holding him at the same time to his promise that it is to be merely "au revoir" and not "good-by":

AU REVOIR

(By William V. Shannon)

WASHINGTON.—This is the last column I shall write for more than a year. About the time this edition of the Post hits the streets in New York, I shall be getting married here in Washington. After a wedding trip to the West Indies, I shall take a year's leave of absence to join the Center for the Study of Democratic Institutions in Santa Barbara, Calif., where I shall be a consultant on the American character project.

I shall forbear from inflicting upon you any of my reflections on the institution of marriage, to which, in the view of most of my friends, I am a most tardy recruit. But some comments on the job I am temporarily leaving and the one to which I am going do not seem out of order.

I have been on the Post 10½ years, the first 6 as a reporter and the past 4 as a columnist. I went to work in April 1951, on a Monday. That Tuesday night President Truman fired General MacArthur. Covering the MacArthur hearings does not exactly qualify me as the successor to Richard Harding Davis, but I think I can lay claim to as exciting a debut as any political writer could desire. The Truman-MacArthur controversy was politics in its best sense: the antagonists were men of stature and interest, the issues urgent and fundamental, and the ramifications wide and deep. That profound quarrel over foreign policy methods and objectives ranked in importance with the debates on the League of Nations in 1919-20 and on neutrality and intervention in 1930-40. I shall always be grateful I had a front row seat when this history was being made.

The most enjoyable story I covered was the 1952 presidential campaign. I traveled with Adlai Stevenson without a break from the day he was nominated in July to the day he was defeated in November. That first Stevenson campaign had a moral unity and an esthetic integrity that few human experiences of any kind have. Stevenson throughout those 3½ months was never untrue to himself, never said a mean or vindictive word, and tried to make each speech a civilizing, educating, uplifting act. When one thinks of most political campaigns, with their mechanical ranting, tedious, make-believe differences of opinion, and intellectual disorder, Stevenson's performance 9 years ago remains a shining memory.

Stevenson's campaign ended in defeat, but the mere fact of victory or defeat is not always and at all times the most important

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE
(For information only;
should not be quoted
or cited)

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For actions of Aug. 31, 1961
87th-1st, No. 152

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HIGHLIGHTS: Both Houses agreed to conference report on foreign aid authorization bill. House subcommittee voted to report wheat bills. Several Representatives discussed sugar legislation. Senate passed saline water bill. Senate committees reported bills to: Consent to Delaware River Basin Compact. Provide for operation of steamship conferences.

SENATE

- FOREIGN AID.** Both Houses agreed to (by votes of 69 to 24 in the Senate and 260 to 132 in the House) the conference report on S. 1983, the foreign aid authorization bill. This bill will now be sent to the President. See Digest 151 for items of interest. pp. 16566-85, 16588-605, 16717-27
- SALINE WATER.** Passed with amendments H. R. 7916, to extend and expand the saline water conversion program by authorizing the appropriation of \$100 million for the program for fiscal years 1962 to 1971 (pp. 16607-28). Agreed to an amendment by Sen. Monroney (for himself and Sens. Kerr and Gore) authorizing the appropriation of \$100 million (rather than \$75 million as reported out of committee) for the program during the ten-year period (pp. 16608-16). Consideration of a similar bill, S. 2156, was indefinitely postponed (p. 16628).
- WATER RESOURCES.** The Judiciary Committee reported with amendment H. J. Res. 225, to grant the consent of Congress to the Delaware River Basin Compact (S. Rept. 854). p. 16538

4. TRANSPORTATION. The Commerce Committee reported with amendment H. R. 6775, to amend the Shipping Act of 1916 so as to provide for the operation of steamship conferences (S. Rept. 860). p. 16655
5. CIVIL DEFENSE. The Armed Services Committee reported without amendment H. R. 8383, to amend the Federal Civil Defense Act of 1950 to ratify retroactive financial contributions made to States for civil defense purposes (S. Rept. 846), and H. R. 8406, to change the name of the Office of Civil and Defense Mobilization to the Office of Emergency Planning (S. Rept. 847). p. 16538
6. FARM LABOR. Sen. Williams, N. J., inserted and commended articles favoring Federal aid to provide improved educational facilities and health services for migratory farm workers and their families. pp. 16544-6
7. LEGISLATIVE PROGRAM. Sen. Mansfield announced that the calendar will be called today, Sept. 1. pp. 16651-2

HOUSE

8. WHEAT. The Subcommittee on Wheat of the Agriculture Committee voted to report to the full committee H. R. 8842, to amend the Agricultural Act of 1961 so as to permit a wheat producer to withdraw from his stored excess the amount of wheat by which he fails to make his normal production on the reduced acreage allotment, less the acres voluntarily retired below the allotment. p. D794
9. APPROPRIATIONS. Conferees were appointed on H. R. 7371, the State-Justice appropriation bill for 1962. Senate conferees have already been appointed. p. 16659
The Appropriations Committee was granted until midnight Fri., to file a report on the foreign aid appropriation bill for 1962. p. 16659
10. EDUCATIONAL EXCHANGES. The Foreign Affairs Committee reported with amendments H. R. 8666, to provide for the improvement and strengthening of the international relations of the United States by promoting better mutual understanding among the peoples of the world through educational and cultural exchanges (H. Rept. 1094). p. 16750
11. ATOMIC ENERGY. Received the conference report on H. R. 7576, the atomic energy authorization bill (H. Rept. 1101). (pp. 16728-32) This bill includes authorizations for reactor development, biology and medicine, and the cooperative power reactor demonstration program.
12. PURCHASING. The Subcommittee No. 2 of the Judiciary Committee voted to report to the full committee H. R. 8741, to authorize any Federal agency to waive performance and payment bonds. p. D795
13. TRANSPORTATION. The Interstate and Foreign Commerce Committee reported with amendments S. 320, to amend the Interstate Commerce Act so as to permit State commissions to grant the right to motor common carriers operating within a single State to engage in interstate or foreign operations within the boundaries of the State in which intrastate authority is being simultaneously authorized, and to authorize ICC to issue certificates of registration to existing carriers engaged in interstate operations under part II of the Act (H. Rept. 1090). p. 16750
The Merchant Marine and Fisheries Committee reported with amendments H. R. 2488, to amend the Shipping Act of 1916 so as to provide for licensing independent ocean freight forwarders (H. Rept. 1096). p. 16750

Sept. 7, 1961

11. PASSED OVER the following bills:
- H. R. 6775, to provide for the operation of steamship conferences. p. 17305
 - H. R. 6141, to limit to cases involving the national security the prohibition on payment of retirement annuities to retired Federal employees. p. 17305
 - S. 1633, to provide for the establishment of a Department of Urban Affairs and Housing. p. 17309
12. LEGISLATIVE PROGRAM. Sen. Mansfield stated that S. 2180, to establish a U. S. Disarmament Agency for World Peace and Security, will be considered next, followed by consideration of the Mexican farm labor bill. p. 17414

HOUSE

13. APPROPRIATIONS. Received the conference report on H. R. 7035, the Labor-HEW appropriation bill (H. Rept. 1154) (pp. 17429-31). The bill includes \$20,250,000 for the Office of Vocational Rehabilitation. Conferees were granted until midnight Fri., Sept. 8, to file a conference report on H. R. 8302, the military construction appropriation bill. p. 17493
14. RICE. The Agriculture Committee reported without amendment H. R. 9013, to provide for the transfer of rice acreage history where a producer withdraws from the production of rice (H. Rept. 1150). p. 17495
15. CONSERVATION. The Agriculture Committee reported with amendments H. R. 8914, to permit producers on farms on which summer fallow is a normal practice to plant barley on land devoted to summer fallow during 1961 which is diverted from wheat under the 1962 Wheat Stabilization Program provided an overall reduction of 20% is made in corn, grain sorghums, and barley (H. Rept. 1149). p. 17495
16. WHEAT. The Agriculture Committee reported with amendments H. R. 8842, to permit a wheat producer to withdraw from his stored excess the amount of wheat by which he fails to make his normal production on the reduced acreage allotment, less the acres voluntarily retired below the allotment (H. Rept. 1148). p. 17495
17. SUPERGRADES. The Post Office and Civil Service Committee voted to report (but did not actually report) with amendments H. R. 7377, to increase the limitation on the number of supergrades, and on the number of research and development positions of scientists and engineers for which special rates of pay are authorized (p. D825). The committee was granted until midnight Thurs., Sept. 7, to file a report on this bill (p. 17423).
18. WATERFOWL. Disagreed to the Senate amendments and conferees were appointed on H. R. 7391, to promote the conservation of migratory waterfowl by the acquisition of wetlands and other essential waterfowl habitat. p. 17426
19. POSTAL RATES. The Post Office and Civil Service Committee reported with amendment H. R. 7927, to adjust postal rates (H. Rept. 1155). p. 17495

20. PERSONNEL. The Post Office and Civil Service Committee ordered favorably reported H. R. 8565, to permit certain Government employees to elect to receive compensation in accordance with section 401 of the Federal Employees Pay Act of 1945, in lieu of certain compensation at a saved rate. pp. D824-5
21. FOREIGN TRADE. The Post Office and Civil Service Committee ordered favorably reported H. R. 7791, to provide for the collection and publication of foreign commerce and trade statistics. p. D825
Passed as reported H. R. 7692, to amend section 304 of the Tariff Act to provide that when articles, which are imported in containers that are now required to be marked to show in English the name of the country of origin of such articles, are repackaged in the U. S. and offered for sale, the new packages shall be marked to show the country from which the materials originally came. pp. 17427-9
Agreed to without amendment H. Res. 403, to create a select committee to conduct an investigation and study of the administration, operation, and enforcement of the Export Control Act of 1949. pp. 17433-45
22. TRANSPORTATION. Agreed to the Senate amendment to H. R. 6732, to amend the Merchant Marine Act, 1936, as amended, to encourage the construction and maintenance of American-flag vessels built in American shipyards. This bill will now be sent to the President. p. 17446
23. PEACE CORPS. Rep. Dorn stated that the proposal to establish a Peace Corps is wrought with potential danger to U. S. prestige by sending inadequately trained and indoctrinated personnel into foreign countries. pp. 17446-7
The Rules Committee reported a resolution for consideration of H. R. 7500, to provide for a Peace Corps to help the peoples of interested countries and areas in meeting their needs for skilled manpower. p. 17495
24. ELECTRIFICATION. Rep. Saylor criticized what he termed "an unholy alliance between the fanatical public power zealots and the Bureau of Reclamation who are using the reclamation program for the promotion of subsidized Government power." pp. 17450-7
Rep. Ashbrook said the Government's "getting deeper" into the electric power business is a "serious and dangerous trend which can and must be reversed." pp. 17461-3
25. LEGISLATIVE PROGRAM. Rep. Albert announced that the Labor-HEW and the military construction appropriations conference reports will be considered on Monday; the public works appropriation bill on Tuesday; the conference report on Atomic Energy Commission appropriations authorization, the Peace Corps bill, H. R. 6360, relating to an additional Assistant Secretary of Commerce, and the supplemental appropriation bill for 1962, on Wednesday and the balance of the week. pp. 17481-2
26. ADJOURNED until noon Monday, September 11.

ITEMS IN APPENDIX

27. FARM PROGRAM. Extension of remarks of Sen. Wiley inserting an article in which a Wisc. dairyman reports on a tour of farm areas in Soviet countries. pp. A7035-6
Extension of remarks of Rep. Alexander inserting Under Secretary Murphy's address before the annual meeting of the North Carolina Feeder Manufacturers Association, Virginia Beach, Va. pp. A7061-3

CORRECTING INEQUITY IN THE 1962 WHEAT PROGRAM

SEPTEMBER 7, 1961.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. COOLEY, from the Committee on Agriculture, submitted the following

R E P O R T

[To accompany H.R. 8842]

The Committee on Agriculture, to whom was referred the bill (H.R. 8842) to amend subsection (h) of section 124 of the Agricultural Enabling Amendments Act of 1961, having considered the same, report favorably thereon with amendments and recommend that the bill do pass.

The amendments are as follows:

Page 1, beginning on line 5 strike out the word "following" and all of line 6 and insert "striking out the words 'diverted acres' and inserting in lieu thereof 'acres diverted from the 1962 allotment'".

PURPOSE

The purpose of this bill is to correct an unintentional inequity in the 1962 wheat program relating to the release of stored wheat in the event of underproduction.

NEED FOR THE LEGISLATION

The need for the legislation is explained in the report of the Department of Agriculture which is appended hereto and made a part of this report.

COST

There would be no additional cost to the Federal Government as a result of this legislation.

DEPARTMENTAL APPROVAL

Following is a letter from the Department of Agriculture recommending enactment of the bill with a clarifying amendment. The amendment recommended by the Department has been adopted by the committee.

SEPTEMBER 6, 1961.

HON. HAROLD D. COOLEY,
Chairman, Committee on Agriculture,
House of Representatives.

DEAR MR. COOLEY: This is in reply to your request of August 29, 1961, for a report on H.R. 8842, a bill to amend subsection (h) of section 124 of the Agricultural Enabling Amendments Act of 1961.

This Department recommends the enactment of H.R. 8842 with a slight change in the language thereof which is for the purpose of clarity.

H.R. 8842 would correct an inequity in existing law with respect to determining production of 1962 crop wheat for the purpose of releasing wheat from storage on account of underproduction on a participating farm under the 1962 wheat stabilization program. The effect of this inequity is reflected between producers who plant within their farm wheat acreage allotment but do not comply with the conservation phase of the program and producers who fully participate in both the acreage allotment and conservation phases of the program.

Under this bill, a producer would be permitted to withdraw from his stored excess an amount of wheat equal to the amount by which the normal production of his 1962 farm wheat acreage allotment exceeded the actual production on the farm plus the normal production of the acreage voluntarily diverted under the 1962 wheat stabilization program from the final 1962 allotment. Thus, the bill would make the provisions for withdrawal of stored excess wheat about the same as they were under the 1961 and prior programs. For example, a producer whose actual yield was 5 bushels per acre below the farm normal yield of 20 bushels per acre on a 100-acre allotment in 1961 could withdraw 500 bushels from his stored excess. Under existing law, this producer would harvest 90 acres in 1962, his reduced allotment, and if his yield was 5 bushels per acre below the farm normal yield of 20 bushels per acre (450 bushels total), he could withdraw from his stored excess only 250 bushels. Under H.R. 8842, this producer could reduce his stored excess by 450 bushels, the amount of the underproduction on his 1962 allotment.

It is our view that the existing provisions of law relating to the withdrawal of stored excess wheat are equitable when applied to the acreage voluntarily diverted from production from the 1962 allotment, but inequitable when applied to the acreage involved in the 10 percent mandatory reduction from the 1962 preliminary allotment based on a national allotment of 55 million acres, since the allotment on which the normal production of the farm would be computed has already been reduced by the 10 percent.

For the purpose of clarification, we would recommend that the bill be amended by striking out at the end of the bill all the language beginning with the word "following" at the end of line 5 and inserting in lieu thereof the language "striking out the words 'diverted acres' and inserting in lieu thereof the language 'acres diverted from the 1962 allotment.'"

The Bureau of the Budget advises that there is no objection to the submission of this report from the standpoint of the administration's program.

Sincerely yours,

CHARLES S. MURPHY,
Under Secretary.

CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in *italic*, and existing law in which no change is proposed is shown in roman):

PUBLIC LAW 87-128

(87th Cong., approved August 8, 1961)

AN ACT To improve and protect farm prices and farm income, to increase farmer participation in the development of farm programs, to adjust supplies of agricultural commodities in line with the requirements therefor, to improve distribution and expand exports of agricultural commodities, to liberalize and extend farm credit services, to protect the interest of consumers, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Agricultural Act of 1961".

* * * * *

TITLE I—SUPPLY ADJUSTMENT AND PRICE STABILIZATION

SEC. 101. This title may be cited as the "Agricultural Enabling Amendments Act of 1961".

* * * * *

SUBTITLE B—1962 WHEAT PROGRAM

* * * * *

SEC. 124. (a) If marketing quotas are in effect for the 1962 crop of wheat, producers on any farm, except a farm on which a new farm wheat allotment is established for the 1962 crop, in the commercial wheat-producing area shall be entitled to payments determined as provided in subsection (b) upon compliance with the conditions hereinafter prescribed:

(1) Such producers shall divert from the production of wheat an acreage on the farm equal to either (i) 10 per centum of the highest actual acreage of wheat planted on the farm for harvest in any of the years 1959, 1960, or 1961: *Provided*, That such acreage in each of such years did not exceed 15 acres, or (ii) 10 per centum of the farm acreage allotment for the 1962 crop of wheat which would be in effect except for the reduction thereof as provided in section 334(c)(2) of the Agricultural Adjustment Act of 1938, as amended.

(2) In 1962, such diverted acreage shall be devoted to conservation uses including summer fallow, approved by the Secretary, and such

measures shall be taken as the Secretary may deem appropriate to keep such diverted acreage free from insects, weeds, and rodents: *Provided*, That such diverted acreage may be devoted to castor beans, guar, safflower, sunflower, or sesame, if designated by the Secretary, subject to the condition that no payment shall be made with respect to diverted acreage devoted to any such commodity.

(3) The total acreage of cropland on the farm in 1962 devoted to soil-conserving uses, including summer fallow and idle land, but excluding the acreage diverted as provided above and acreage diverted under the special 1962 program for feed grains, shall not be less than the total average acreage of cropland devoted to soil-conserving uses including summer fallow and idle land on the farm in 1959 and 1960. Certification by the producer with respect to such acreage may be accepted as evidence of compliance with the foregoing provision. The total average acreage devoted to soil-conserving uses, including summer fallow and idle land, in 1959 and 1960 shall be subject to adjustment to the extent the Secretary determines appropriate for abnormal weather conditions or other factors, affecting production, established crop-rotation practices on the farm, changes in the constitution of the farm, participation in other Federal farm programs, or to give effect to the provisions of law relating to release and re-apportionment or preservation of history.

(4) If the diversion of acreage is made pursuant to the provisions of (1)(i) of this subsection (a), the actual acreage of wheat planted on the farm for harvest in 1962 shall not exceed 90 per centum of the highest actual acreage of wheat planted on the farm for harvest in any of the years 1959, 1960, or 1961; and if the diversion of acreage is made pursuant to the provisions of (1)(ii) of this subsection (a), the farm shall be in compliance with the 1962 farm wheat acreage allotment.

(b)(1) Upon compliance with the conditions prescribed in subsection (a) producers on the farm shall be entitled to payments which shall be made by Commodity Credit Corporation in cash or wheat equal to 45 per centum of the value, at the basic county support rate per bushel for No. 1 wheat of the 1961 crop for the county in which the farm is considered as being located for the administration of farm marketing quotas for wheat in effect at the time the payment rates for the 1962 special wheat program are established, adjusted to reflect changes between the national support rates for the 1961 and 1962 crops, of the number of bushels equal to the adjusted yield per acre of wheat for the farm, multiplied by the number of diverted acres other than acres devoted to castor beans, guar, safflower, sunflower, or sesame.

(2) The Secretary may make such adjustments in yields for the 1959 and 1960 crop years as he determines necessary to correct for abnormal factors affecting production, and to give due consideration to tillable, acreage, crop rotation practices, type of soil, soil and water conservation measures, and topography. To the extent that a producer proves the actual yields for the farm for the 1959 and 1960 crop years, such yields shall be used in making determinations.

(3) The Secretary shall provide by regulations for the sharing of payments among producers on the farm on a fair and equitable basis. The medium of payment shall be determined by the Secretary. If payments are made in wheat, the value of the payments in cash shall be converted to wheat at the market price of wheat as determined by

Commodity Credit Corporation. Wheat received as payment-in-kind may be marketed without penalty but shall not be eligible for price support.

(c)(1) Producers who divert acreage on the farm under subsection (a) may divert additional acreage on the farm not in excess of the larger of three times the amount diverted under subsection (a) or such acreage as will bring the total acreage diverted to 10 acres: *Provided*, That the total acreage diverted under subsection (a) and this subsection (c) shall not exceed the larger of (i) the highest actual acreage of wheat planted on the farm for harvest for any of the years 1959, 1960, or 1961, but not to exceed 10 acres or (ii) the 1962 wheat acreage allotment.

(2) Payments shall be made with respect to the acreage diverted under this subsection (c) in accordance with the terms and conditions prescribed in subsection (a): *Provided*, That (i) 60 per centum shall be substituted for 45 per centum in computing the amount of the payment, (ii) the acreage diverted under this subsection (c) shall be added to and deemed to be acreage diverted under subsection (a) for the purposes of paragraphs (2) and (3) of subsection (a), and (iii) if the diversion under subsection (a) is made pursuant to (1)(i) of said subsection, the actual acreage planted to wheat for harvest on the farm in 1962, shall be reduced below the highest actual acreage of wheat planted on the farm for harvest in any of the years 1959, 1960, or 1961, by the total amount of acres diverted under subsection (a) and this subsection (c), or, if the diversion under subsection (a) is made pursuant to (1)(ii) of said subsection, the 1962 wheat acreage on the farm shall be reduced by the total amount of acres diverted under subsection (a) and this subsection (c) below whichever of the following acreages is the larger—

(A) the farm acreage allotment for the 1962 crop of wheat which would be in effect except for the reduction thereof as provided in section 334(c)(2) of the Agricultural Adjustment Act of 1938, as amended;

(B) the highest actual acreage of wheat planted on the farm for harvest for any of the years 1959, 1960, or 1961, but not to exceed fifteen acres.

(d) Any acreage diverted from the production of wheat to conservation uses for which payment is made under the program formulated pursuant to this section shall be in addition to any acreage diverted to conservation uses for which payment is made under any other Federal program except that the foregoing shall not preclude the making of cost-sharing payments under the agricultural conservation program or the Great Plains program for conservation practices carried out on any acreage devoted to soil-conserving uses under the program formulated pursuant to this section.

(e) The Secretary may provide for adjusting any payment on account of failure to comply with the terms and conditions of the program formulated under this section.

(f) Not to exceed 50 per centum of any payment to producers under this section may be made in advance of determination of performance.

(g) The program formulated pursuant to this section may include such terms and conditions, in addition to those specifically provided

for herein, as the Secretary determines are desirable to effectuate the purposes of this section.

(b) Wheat stored to avoid or postpone a marketing quota penalty under the Agricultural Adjustment Act of 1938, as amended and supplemented, shall not be released from storage for underplanting based upon acreage diverted under subsection [(a) or] (c) above, and in determining production of the 1962 crop of wheat for the purpose of releasing wheat from storage on account of underproduction the normal yield of the diverted acres *of the 1962 allotment* shall be deemed to be actual production of 1962 wheat.

(i) The Secretary is authorized to promulgate such regulations as may be necessary to carry out the provisions of this section.

(j) The Commodity Credit Corporation is authorized to utilize its capital funds and other assets for the purpose of making the payments authorized herein and to pay administrative expenses necessary in carrying out this section during the period ending June 30, 1962. There is authorized to be appropriated such amounts as may be necessary thereafter to pay such administrative expenses.



87TH CONGRESS
1ST SESSION

H. R. 8842

[Report No. 1148]

IN THE HOUSE OF REPRESENTATIVES

AUGUST 22, 1961

Mr. BREEDING introduced the following bill; which was referred to the Committee on Agriculture

SEPTEMBER 7, 1961

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Omit the part struck through and insert the part printed in italic]

A BILL

To amend subsection (h) of section 124 of the Agricultural Enabling Amendments Act of 1961.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That subsection (h) of section 124 of the Agricultural En-
4 abling Amendments Act of 1961 be amended by striking,
5 following the word "subsection", "(a) or", and ~~following~~
6 ~~the words "diverted acres"~~ insert "*of the 1962 allotment*"
7 *striking out the words "diverted acres" and inserting in lieu*
8 *thereof "acres diverted from the 1962 allotment".*

87TH CONGRESS
1ST SESSION

H. R. 8842

[Report No. 1148]

A BILL

To amend subsection (h) of section 124 of the
Agricultural Enabling Amendments Act of
1961.

By Mr. BREEDING

AUGUST 22, 1961

Referred to the Committee on Agriculture

SEPTEMBER 7, 1961

Reported with an amendment, committed to the Com-
mittee of the Whole House on the State of the
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87TH CONGRESS
1ST SESSION

S. 2532

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 12, 1961

Mr. CARLSON introduced the following bill; which was read twice and referred to the Committee on Agriculture and Forestry

A BILL

To amend subsection (h) of section 124 of the Agricultural Enabling Amendments Act of 1961.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That subsection (h) of section 124 of the Agricultural En-
4 abling Amendments Act of 1961 be amended by striking,
5 following the word “subsection”, “(a) or”, and following
6 the words “diverted acres” insert “of the 1962 allotment”.

I

87TH CONGRESS
1ST SESSION

S. 2532

A BILL

To amend subsection (h) of section 124 of the
Agricultural Enabling Amendments Act of
1961.

By Mr. CARLSON

SEPTEMBER 12, 1961

Read twice and referred to the Committee on
Agriculture and Forestry

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE
(For information only;
should not be quoted
or cited)

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For actions of September 18, 1961
87th-1st, No. 164

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HIGHLIGHTS: House passed bills to: Permit wheat producers to withdraw from stored excess for under-production; exempt durum wheat in certain California counties from allotments and quotas; provide additional supergrades; clarify and simplify operations of Farm Credit agencies. House rejected bill to permit farms on which summer fallow is practiced to participate in feed grains program. Rep. Elliott introduced and discussed poultry bill.

HOUSE

- 1. WHEAT.** Passed as reported S. 1107, to continue to exempt the production of durum wheat in portions of Modoc and Siskiyou Counties, Calif. (Tulelake area), from acreage allotments and marketing quota restrictions. p. 18824
Passed as reported H. R. 8842, to amend the Agricultural Act of 1961 so as to permit a wheat producer to withdraw from his stored excess the amount of wheat by which he fails to make his normal production on the reduced acreage allotment, less the acres voluntarily retired below the allotment. p. 18826
- 2. FARM LOANS.** Passed as reported S. 1040, to abolish the Federal Farm Mortgage Corporation. pp. 18823-4
Passed without amendment S. 1927, to make a number of amendments to simplify and clarify the operations of institutions supervised by FCA. This bill will now be sent to the President. p. 18904
- 3. POULTRY.** Passed as reported H. R. 7866, to extend the Poultry Products Inspection Act to Puerto Rico and the Virgin Islands. p. 18823

4. RICE. Passed without amendment H. R. 9013, to provide for the transfer of rice acreage history where a producer withdraws from the production of rice. pp. 18826-7
- *
5. FEED GRAINS. By a vote of 213 to 149, defeated a motion to pass under suspension of the rules H. R. 8914, to permit producers on farms on which summer fallow is a normal practice to plant barley on land devoted to summer fallow during 1961 which is diverted from wheat under the 1962 Wheat Stabilization Program provided an overall reduction of 20% is made in corn, grain sorghums, and barley. pp. 18826-18855-61
6. SUPERGRADES. By a vote of 305 to 53, passed under suspension of the rules H. H. 7377, to increase the limitation on the number of supergrades, and on the number of research and development positions of scientists and engineers for which special rates of pay are authorized. pp. 18861-5, 18865-70
7. PEACE CORPS. Conferees were appointed on H. R. 7500, to provide for a Peace Corps. pp. 18817-8
The "Daily Digest" states that "Conferees, in executive session, agreed to file a conference report on the differences between the Senate- and House-passed versions of H. R. 7500, providing for the establishment of a Peace Corps." p. D871
8. EDUCATION. Passed without amendment H. R. 9053, to amend the National Defense Education Act to provide that loans made under title II will be made for the academic year rather than the fiscal year. p. 18826
By a vote of 342 to 18, passed under suspension of the rules (in lieu of H. R. 8900) S. 2393, to extend for 2 years the authority for Federal assistance for the construction and operation of schools in federally impacted areas and the National Defense Education Act. pp. 18831-4
9. APPROPRIATIONS. Received the conference report on H. R. 8302, the military construction appropriation bill (H. Rept. 1201). pp. 18850-1
10. WATERSHEDS. Passed as reported H. R. 3801, to authorize the Secretary of the Army and the Secretary of Agriculture to make joint investigations and surveys of watershed areas for flood prevention or the conservation, development, utilization, and disposal of water. pp. 18818-20
11. RECREATION. Passed as reported H. R. 4934, to authorize the Secretary of Agriculture to modify certain leases entered into for the provisions of recreation facilities in reservoir areas. p. 18904
12. PURCHASING. Passed without amendment H. R. 8741, to grant to all Federal agencies the authority to waive performance and payment bonds otherwise required under the Miller Act with respect to cost-plus-a-fixed fee and cost-type contracts for the construction, alteration, or repair of building or public works and with supply contracts. p. 18830
13. FOREIGN AID. Passed without amendment H. R. 7791, to provide for the collection and publication of foreign commerce and trade statistics. pp. 18827-8
14. PERSONNEL. Passed without amendment H. R. 8565, to amend Public Law 763, 83d Congress, so as to permit firefighters to voluntarily elect to be paid at the

*Although a majority voted for the bill, a two-thirds majority is necessary under a motion to suspend.

DISCLAIM INTEREST IN CERTAIN RIGHTS IN LANDS IN NEVADA

The Clerk called the bill (S. 2272) to disclaim interest in certain rights in certain lands in the State of Nevada.

There being no objection the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States hereby disclaims any interest in lands which it may have, prior to the date of approval of this Act, acquired by virtue of chapter 103 Stat., Nevada 1887, or by any revisions and reenactment thereof.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ANNUAL AUDIT OF BRIDGE COMMISSIONS

The Clerk called the bill (H.R. 8921) to provide for the annual audit of bridge commissions and authorities created by act of Congress, for the filling of vacancies in the membership thereof, and for other purposes.

Mr. ROGERS of Colorado. Mr. Speaker, reserving the right to object, I am wondering if this legislation would provide for the Congress to make an annual audit of the Port Authority of New York.

Mr. DENTON. The bill was drawn so as to specifically exempt the New York Port Authority.

Mr. ROGERS of Colorado. The title reads "to provide for the annual audit of bridge commissions and authorities created by act of Congress for the filling of vacancies in the membership thereof, and for other purposes." It is the contention of many that any compact entered into by various States constitutes a creation by Congress.

Mr. DENTON. As I say, this bill is specifically limited to these five commissions.

Mr. ROGERS of Colorado. Mr. Speaker, I withdraw my reservation of objection.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) each bridge commission and authority created by Act of Congress shall provide for an annual audit of its financial transactions by an independent public accountant of recognized standing in such manner as prescribed by the Governors of the States concerned and in accordance with generally accepted auditing standards. Each such commission and authority shall make available for such purposes all books, accounts, financial records, reports, files, and all other papers, documents, or property belonging to or in use by such commission or authority. The General Accounting Office is authorized and directed to make available its advice on any matter pertaining to an audit performed pursuant to this section.

(b) The commission or authority within four months following the close of the fiscal year for which the audit is made shall submit a copy of the audit report to the Governors of the States concerned and to the Secretary of Commerce. The report shall set forth the scope of the audit and shall

include a statement of assets and liabilities, capital, and surplus or deficits; a statement of surplus or deficit analysis, a statement of income and expense; a statement of sources and application of funds; and such comments and information as may be deemed necessary to keep the Governor of the States concerned and the Secretary of Commerce informed of the operations and financial condition of the commission.

(c) The Governor of either State concerned or the Secretary of Commerce is authorized to provide for the conduct of further audits of any bridge commission or authority created by Act of Congress if the audit report submitted under subsection (b) is not satisfactory to said Governor or to the Secretary of Commerce, respectively.

(d) The commission or authority shall bear all expenses of the annual audit of its financial transactions as required by this section. All expenses of any additional audit required under this section shall be paid by the official or agency requesting such additional audit.

SEC. 2. (a) Each person who is a member, on the date of enactment of this Act, of a bridge commission or authority created by Act of Congress shall continue in office until the expiration of his present term, except as provided under subsection (b) of this section.

(b) (1) Except as provided in paragraph (2) of this subsection, where provision is made in the Act creating a bridge commission or authority for membership thereon without limitation as to length of term of office, the Secretary of Commerce shall, on or before the expiration of ninety days after the date of this Act, reappoint not more than one-third of the persons who are members of such bridge commission or authority on the date of enactment of this Act as members of such bridge commission or authority for a term of two years from the date of reappointment, reappoint not more than one-third of the members of such bridge commission or authority for a term of four years, and reappoint the remaining members for a term of six years. Thereafter, the term of each member appointed to such commission or authority shall be six years, except when an appointment is made to fill an unexpired term or when an incumbent member whose term has expired holds over until his successor is appointed, and vacancies shall be filled as provided under subsection (c) of this section.

(2) Notwithstanding any other provision of law, the term of office of each person who is a member of the White County Bridge Commission, created by the Act approved April 12, 1941 (55 Stat. 140), on the date of enactment of this Act shall expire on the ninetieth day after such date of enactment. The Secretary of Commerce shall thereupon appoint three persons as members of the commission, one for a term of two years, one for a term of four years, and one for a term of six years. Each person appointed as a member of the commission thereafter shall be appointed for a term of six years, except that a person appointed to fill a vacancy shall serve only for the unexpired term of his predecessor. Each person appointed under this subsection shall give such bond as may be fixed by the Secretary of Commerce, conditioned upon the faithful performance of all duties required by this Act. The cost of such bonds shall be deemed an operating expense of the commission. The Secretary of Commerce shall designate the member of the commission who shall serve as chairman and the member who shall serve as vice chairman. Vacancies in the commission shall not affect its powers, and shall be filled in the same manner as the original appointments were made. The commission shall have power to establish

rules and regulations for the government of its business.

(c) A vacancy in the membership of any bridge commission or authority to which this Act is applicable occurring by reason of expiration of term, failure to qualify as a member, death, removal from office, resignation, or otherwise, shall be filled by the Secretary of Commerce. Incumbent members whose terms have expired shall hold over in office until their successors are appointed and qualified.

(d) Each member appointed under this Act shall qualify within thirty days after appointment by filing with the Secretary of Commerce an oath that he will faithfully perform the duties imposed upon him by law.

(e) Each member appointed under this Act shall be removable for cause by the Secretary of Commerce.

(f) This section shall not be applicable to ex officio members or State highway department members of such bridge commissions or authorities.

SEC. 3. Each bridge commission and authority created by Act of Congress shall submit an annual report, covering its operations and fiscal transactions during the preceding fiscal year, its financial condition and a statement of all receipts and expenditures during such period, to the Governors of the States concerned and to the Secretary of Commerce not later than four months following the close of the fiscal year for which the audit required under section 1 of this Act is made.

SEC. 4. Authority is hereby granted to transfer all functions, powers, duties, responsibilities, authority, assets, liability, obligations, books, records, property, and equipment of any existing bridge commission or authority created by Act of Congress to the highway department or other agency of the State or States concerned, or to joint agencies established by interstate compact or agreement. Such transfer shall be carried out in a manner as may be prescribed or authorized by the laws of the State or States concerned. Upon such transfer, such bridge commission or authority shall cease to exist.

SEC. 5. (a) All provisions of Acts of Congress creating bridge commissions or authorities may be enforced or the violation thereof prevented by mandamus, injunction, or other appropriate remedy by the chief legal officer of either State concerned, in any court having competent jurisdiction of the subject matter and of the parties. The following provisions of law are hereby repealed:

Section 11 of the Act approved October 30, 1951 (65 Stat. 699);

Section 15 of the Act approved July 26, 1956 (70 Stat. 676);

Section 12 of the Act approved April 12, 1941 (55 Stat. 144).

(b) Members and employees of bridge commissions and authorities created by Act of Congress shall not be deemed to be Federal officers and employees.

(c) The members of such bridge commissions and authorities shall each be entitled to a per diem compensation for their services of \$20 for each day actually spent in the business of the commission or authority, but the maximum per diem compensation of the chairman in any one year shall not exceed \$3,000, and of each other member in any one year shall not exceed \$2,000. The members of such commissions and authorities shall also be entitled to receive traveling expense allowance of 12 cents a mile for each mile actually traveled on the business of the commission or authority.

Payments under the provisions of this subsection shall be in lieu of any other payments for salary or expenses authorized for service as a member of any such commission or authority under the provisions of any other Federal law relating to such

commission or authority, but nothing in this subsection shall affect any other Federal law with respect to the funds from which any such payments shall be made.

This subsection shall not apply to any bridge or causeway commission or authority created by an Act of Congress, the entire membership of which is ex officio.

SEC. 6. The provisions of this Act shall apply only to the following bridge commissions and authority:

(1) Arkansas-Mississippi Bridge Commission, created by the Act approved May 17, 1939 (53 Stat. 747);

(2) White County Bridge Commission, created by the Act approved April 12, 1941 (55 Stat. 140);

(3) City of Clinton Bridge Commission, created by the Act approved December 21, 1944 (58 Stat. 846);

(4) Sabine Lake Bridge and Causeway Authority, created by the Act approved October 30, 1951 (65 Stat. 695); and

(5) Muscatine Bridge Commission, created by the Act approved July 26, 1956 (70 Stat. 669).

SEC. 7. If any provision of this Act, or the application of such provision to any person or circumstance, is held invalid, the remainder of the Act, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDMENT OF TITLE II OF NATIONAL DEFENSE EDUCATION ACT OF 1958

The Clerk called the bill (H.R. 9053) to amend title II of the National Defense Education Act of 1958 with respect to the periods for which loans under that title are made.

There being no objection the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 205(a) of the National Defense Education Act of 1958 is amended by striking out "fiscal year" and inserting in lieu thereof "academic year or its equivalent, as determined under regulations of the Commissioner,".

(b) The amendment made by subsection (a) of this section shall not apply with respect to any academic year or equivalent period, as determined under regulations of the Commissioner of Education, which began before July 1, 1961.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CORRECTING INEQUITY IN THE 1962 WHEAT PROGRAM

The Clerk called the bill (H.R. 8842) to amend subsection (h) of section 124 of the Agricultural Enabling Amendments Act of 1961.

There being no objection the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (h) of section 124 of the Agricultural Enabling Amendments Act of 1961 be amended by striking, following the word

"subsection", "(a) or", and following the words "diverted acres" insert "of the 1962 allotment".

With the following committee amendment:

Page 1, beginning on line 5 strike out the word "following" and all of line 6 and insert "striking out the words 'diverted acres' and inserting in lieu thereof 'acres diverted from the 1962 allotment'".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PARTICIPATION IN 1962 FEED GRAIN PROGRAM

The Clerk called the bill (H.R. 8914) to amend subsection (d) of section 16 of the Soil Conservation and Domestic Allotment Act, as amended.

The SPEAKER pro tempore. Mr. Speaker, is there objection to the present consideration of the bill?

Mr. TOLLEFSON. Mr. Speaker, at the request of Members who could not be present I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

(Mr. FINDLEY (at the request of Mr. KYL) was given permission to extend his remarks at this point in the RECORD, and to include extraneous matter.)

Mr. FINDLEY. Mr. Speaker, this bill is a classic example of the way that our farm control bills are liberalized almost immediately following their enactment. Earlier this year Congress passed the "Agricultural Act of 1961." Included in this law was a special 1962 control program for wheat farmers. It was signed by the President on August 8, 1961. Now this afternoon, just 40 days and 40 nights later, we have before the House two bills to liberalize that law. The first bill, H.R. 8842, which was just passed on the Consent Calendar, liberalized the method of calculating how much wheat can be released from the storage of a previously produced crop.

This bill, H.R. 8914, sets up special rules for wheatgrowers in western Kansas and in other summer fallow areas planting winter wheat and barley.

This bill will allow certain farmers to plant and harvest barley now and in 1962, even though they do not have a 1959-60 barley base. This would be allowed at the same time the Department of Agriculture would be paying other farmers for not growing as much barley as they did in 1959-60. It seems to me that such a procedure would be completely illogical and inconsistent.

Another aspect of this legislation which makes it wholly unacceptable is that it gives a special loophole to wheat farmers in just one part of the country. Farmers who retire wheatland under the new wheat law are paid from 45 percent to 60 percent of their normal yield for doing so. Under H.R. 8914 preferred farmers would not only receive this pay-

ment, but they would also be able to plant barley on those idled acres. If that barley turned out well next spring, they could harvest it and participate in the feedgrain program. If it turned out poorly, they could plow it under and replace it with other spring-planted feed grains. This preferential treatment does not appear to me to be warranted, especially in view of the fact that ample payment is made for establishing cover crops to prevent wind erosion.

RICE ACREAGE ALLOTMENTS

The Clerk called the bill (H.R. 9013) to provide for the transfer of rice acreage history where producer withdraws from the production of rice.

There being no objection the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 353 of the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1353), be amended by adding at the end thereof a new subsection (f) to read as follows:

"(f) (1) If a producer in a State in which farm rice acreage allotments are determined on the basis of past production of rice by the producer on the farm, dies, his history of rice production shall be apportioned in whole or in part among his heirs or devisees according to the extent to which they may continue, or have continued, his farming operations, if satisfactory proof of such succession of farming operations is furnished the Secretary.

"(2) If a producer in a State in which farm rice acreage allotments are determined on the basis of past production of rice by the producer on the farm withdraws in whole or in part from rice production in favor of a member or members of his family who will succeed to his farming operations that portion of his rice history acreage as may be ascribed to such withdrawal may be transferred to such family member or members, as the case may be, if satisfactory proof of such relationship and succession of farming operations by such family member or members is furnished the Secretary.

"(3) If a producer in a State in which farm rice acreage allotments are determined on the basis of past production of rice by the producer on the farm permanently withdraws from rice production, his rice history acreage may be transferred to another producer or producers who have had previous rice-producing experience, provided the following conditions are met: (1) The transferee must acquire the entire farming operation pertaining to rice, including all production and harvesting equipment, any irrigation equipment not permanently attached to the land, and any land owned by the transferor to which any of the transferred rice history acreage may be ascribed; and (2) the transferee must actually plant at least 90 percent of his total producer rice acreage allotment, including the allotment determined on the basis of the rice history acreage acquired from the transferor for at least three out of the next four years following the transfer. Failure by the transferee to comply with condition (2) above shall result in cancellation of the transfer of the rice history acreage. The transferor of rice acreage history under this subsection shall not be eligible for a producer rice acreage allotment for any year subsequent to such transfer, except to the extent that such allotment may be based on rice history acquired in a year (subsequent to the transfer) for which rice acreage allotments are not in effect.

87TH CONGRESS
1ST SESSION

H. R. 8842

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 19 (legislative day, SEPTEMBER 16), 1961

Read twice and referred to the Committee on Agriculture and Forestry

AN ACT

To amend subsection (h) of section 124 of the Agricultural Enabling Amendments Act of 1961.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That subsection (h) of section 124 of the Agricultural En-
4 abling Amendments Act of 1961 be amended by striking,
5 following the word “subsection”, “(a) or”, and striking out
6 the words “diverted acres” and inserting in lieu thereof “acres
7 diverted from the 1962 allotment”.

Passed the House of Representatives September 18, 1961.

Attest:

RALPH R. ROBERTS,

Clerk.

87TH CONGRESS
1ST SESSION

H. R. 8842

AN ACT

To amend subsection (h) of section 124 of the
Agricultural Enabling Amendments Act of
1961.

SEPTEMBER 19 (legislative day, SEPTEMBER 16), 1961
Read twice and referred to the Committee on
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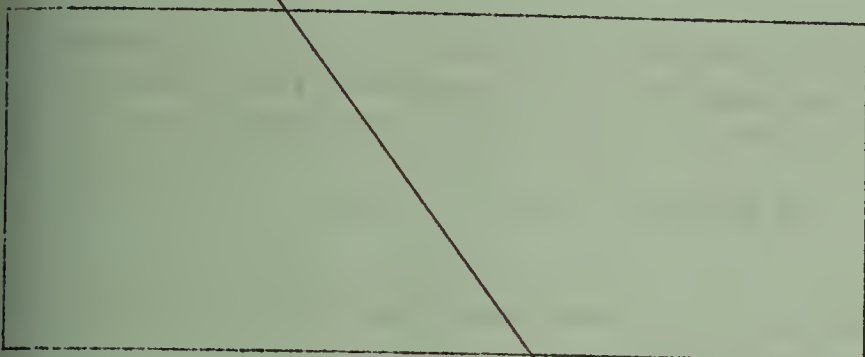
Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For information only;
should not be quoted
or cited)

Issued February 8, 1962
For actions of February 7, 1962
87th-2d, No. 19



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HIGHLIGHTS: House received supplemental appropriation estimates for FS, ARS, and AMS. Sen. Miller criticized farm bill. Senate committee voted to report bills to permit farms on which summer fallow is practiced to participate in feed grain program, and to permit producers to withdraw wheat from stored excess supplies. Sen. Javits introduced and discussed bill to extend school lunch program to non-profit summer camps for children.

HOUSE

1. APPROPRIATIONS. Received from the President supplemental appropriation estimates for the fiscal year 1962 (H. Doc. 333); to Appropriations Committee. This document includes for this Department estimates of \$3,000,000 for the Agricultural Research Service to extend the screwworm eradication program into the Southwest; \$36,000,000 for fighting forest fires and \$1,000,000 for insect and disease control for the Forest Service; and \$450,000 for the Agricultural Marketing Service for an increased volume of poultry inspection. p. 1875
2. FARM PROGRAM. Extension of remarks of Rep. Johnson, Wis., inserting a speech by John Baker before the Land and People Conference, "Opportunities for People on the Land." pp. 1867-72
3. IRRIGATION. The "Daily Digest" states that the Interior and Insular Affairs Committee "defeated a motion to order reported H. R. 378, relating to the Burns Creek site in the upper Snake River Valley, Idaho." p. D76

4. LIBRARIES. The "Daily Digest" states that Subcommittee No. 3 of the Judiciary Committee "reported adversely to the full committee ... S. 464, and related House bills, granting the consent of Congress to interstate compacts for the development or operation of library facilities and service." p. D77
5. PUBLIC DEBT. The Ways and Means Committee voted to report (but did not actually report) H. R. 10050, to provide for a further temporary increase in the public debt limit. p. D77
6. FOREIGN TRADE. Rep. Collier favorably discussed the renewal of the Reciprocal Trade Agreements Act, and said, "I believe it is the responsibility of Congress in renewing the Reciprocal Trade Agreements Act to place embargoes upon Communist nations." pp. 1853-4
Rep. Bailey inserted "Excerpts From AFL-CIO Debate on Foreign Trade Relations." pp. 1859-60
7. HOUSING. Several Representatives discussed the merits of the proposed Department of Urban Affairs and Housing. pp. 1858-9, 1860-5
8. STOCKPILING. Rep. Burke, Mass., said, "President Kennedy is to be commended for his courageous action of last week in ordering the Government to cease stockpiling critical materials," and inserted an article, "Kirwin Leads Attack on Stockpiling." pp. 1872-3

SENATE

9. THE AGRICULTURE AND FORESTRY COMMITTEE voted to report (but did not actually report) the following bills: pp. D74-5
H. R. 8842, without amendment, to amend the Agricultural Act of 1961 so as to permit a wheat producer to withdraw from his stored excess the amount of wheat by which he fails to make his normal production on the reduced acreage allotment, less the acres voluntarily retired below the allotment;
S. 2533, with amendment, to amend the Soil Conservation and Domestic Allotment Act so as to permit farmers in summer-fallow areas to participate in the feed grains program;
S. 875, without amendment, to authorize the Secretary of Agriculture to convey to Wyoming for agricultural purposes the SCS Farson Pilot Farm in Sweetwater County, Wyo.;
H. R. 4934, without amendment, to authorize the Secretary of Agriculture to modify certain leases entered into for the provision of recreational facilities in reservoir areas; and
H. R. 9013, without amendment, to provide for the transfer of rice acreage history where a producer withdraws from the production of rice.
10. FARM BILL. Sen. Ellender announced that the Agriculture and Forestry Committee will begin hearings Feb. 19 on the farm bill. p. 1678
Sen. Miller criticized the proposed farm bill, charged that surpluses of feed grains "are being used today to scare farmers into so-called voluntary participation" in the farm program, and inserted several articles on the matter. pp. 1806-7
11. EDUCATION. Received from HEW a proposed bill "to assist in providing necessary instruction for adults unable to read and write English or with less than a sixth grade level of education, through grants to institutions of higher learning ... and through grants to States for pilot projects"; to Labor and Public Welfare Committee. p. 1668

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

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Issued February 9, 1962
For actions of February 8, 1962
87th-2d, No. 20

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HIGHLIGHTS: Senate committee reported bills to permit summer fallow lands to participate in feed grains program, and to permit producers to withdraw wheat from stored excess supplies. Reps. Langen and May urged early consideration of sugar legislation.

SENATE

1. THE AGRICULTURE AND FORESTRY COMMITTEE reported the following bills: p. 1893

H. R. 8842, without amendment, to amend the Agricultural Act of 1961 so as to permit a wheat producer to withdraw from his stored excess the amount of wheat by which he fails to make his normal production on the reduced acreage allotment, less the acres voluntarily retired below the allotment (S. Rept. 1209);

S. 2533, with amendment, to amend the Soil Conservation and Domestic Allotment Act so as to permit farmers in summer-fallow areas to participate in the feed grains program (S. Rept. 1208);

S. 875, without amendment, to authorize the Secretary of Agriculture to convey to Wyoming for agricultural purposes the SCS Farson Pilot Farm in Sweetwater County, Wyo. (S. Rept. 1206);

H. R. 4934, without amendment, to authorize the Secretary of Agriculture to modify certain leases entered into for the provision of recreational facilities in reservoir areas (S. Rept. 1205); and

H. R. 9013, without amendment, to provide for the transfer of rice acreage history where a producer withdraws from the production of rice (S. Rept. 1207).

2. WATERSHEDS; BUDGET. Sen. Byrd, W. Va., expressed disappointment that the 1963 budget did not include estimates for the construction of a watershed and forest management research laboratory and other facilities at Parsons, W. Va., and stated that he would "attempt again to amend the bill when it is again before the Senate Appropriations Committee this year to include moneys for this very worthy purpose." pp. 1922-3
 3. STOCKPILING. Sen. Symington reported an original resolution, S. Res. 295, from the Armed Services Committee to authorize expenditures for an investigation of the stockpiling of strategic and critical materials. pp. 1893-4
 4. FOREIGN TRADE. Sen. Bush inserted an article on foreign trade, "Trade Bloc Cites U. S. Tariff Laws -- Common Market Warns on 'Peril Point' Clause." pp. 1902-3
Sen. Keating inserted an editorial supporting his proposal that Congress be given the power to veto trade agreements and modifications of trade agreements negotiated by the executive branch. p. 1915
 5. FISH FLOUR. Sen. Gruening inserted his letter to the Secretary of HEW protesting the Food and Drug Administration standards on the use of fish protein in foods. pp. 1915-6
 6. PATENTS. Sen. Hruska inserted the testimony of Dr. Vannevar Bush before the Subcommittee on Antitrust and Monopoly of the S. Judiciary Committee "warning against the results of piecemeal tinkering with the patent system." pp. 1916-7
 7. HOUSING. Sen. Muskie inserted two documents he had prepared relative to the proposal to establish a Department of Urban Affairs and Housing "which provide an objective analysis of the plan, its intent, and its implications." pp. 1957-60
 8. ADJOURNED until Mon., Feb. 12. p. 1963
- HOUSE
9. HONEYBEES. The Subcommittee on Research and Extension of the Agriculture Committee voted to report to the full committee H. R. 8050, to prohibit the importation of all honeybees of the genus Apis in the adult stage except for research by the USDA or as the Secretary shall determine. p. D80
 10. HOUSING. The "Daily Digest" states: "Committee on Government Operations: After concluding hearings on Reorganization Plan No. 1 of 1962, to create a Department of Urban Affairs and Housing, the committee favorably approved the plan." p. D81
 11. MANPOWER. The Rules Committee granted an open rule with 3 hours debate on H. R. 8399, the Manpower Training and Development Act of 1962. p. D81
 12. TERRITORIES. The Subcommittee on Territorial and Insular Affairs of the Interior and Insular Affairs Committee voted to report to the full committee H. R. 10063, to provide for appointment of acting secretaries for Guam and Virgin Islands under certain conditions. p. D81
 13. SUGAR. Rep. Langen discussed sugar legislation, saying, "It is inconceivable to me that the Congress should be expected to talk about either farm problems or reciprocal trade policies without prior agreement on long-term sugar legislation." p. 1888

WITHDRAWAL OF STORED PENALTY WHEAT

FEBRUARY 8, 1962.—Ordered to be printed

Mr. YOUNG of North Dakota, from the Committee on Agriculture and Forestry, submitted the following

REPORT

[To accompany H.R. 8842]

The Committee on Agriculture and Forestry, to whom was referred the bill (H.R. 8842) to amend subsection (h) of section 124 of the Agricultural Enabling Amendments Act of 1961, having considered the same, report thereon with a recommendation that it do pass without amendment.

This bill would correct an error in the 1962 wheat program law with respect to the withdrawal of excess wheat stored from a previous crop to avoid payment of penalty. Release of excess wheat from a previous crop is permitted either where the allotment is underplanted or where the actual production is less than the normal production of the acreage allotment.

Under the 1962 wheat program wheat allotments were reduced 10 percent below what they otherwise would have been, and the 10 percent reduction was required to be diverted from crop production as a condition of price support.

Section 124(h) of the Agricultural Enabling Amendments Act of 1961 provides that underplanting of the allotment resulting from the 10 percent diversion should not be the basis for withdrawal of penalty wheat. While this provision causes no harm, it is not correct to refer to the 10 percent diversion as an underplanting of the allotment, since the 10 percent represents a reduction in, rather than an underplanting of, the allotment.

Similarly, section 124(h) provides that the normal production of the diverted acres shall be deemed actual production for the purpose of determining whether the actual production is less than the normal production of the allotment. Since the 10 percent diversion represents no diversion from the acreage allotment, it should not be deemed as having produced any quantity of wheat for this purpose. This provision of the 1961 act reduces the amount of penalty wheat which

may be withdrawn from storage by farms having crop failures even though they comply with their allotments. For instance, a farm which otherwise would have received a 100-acre allotment receives only 90 acres by reason of the 10-percent reduction. Assuming a 20 bushel per acre normal production, the normal production of the acreage allotment is 1,800 bushels. Ordinarily, if the actual production was less than 1,800 bushels, the difference between 1,800 bushels and the actual production could be withdrawn from penalty wheat of a previous crop. However, since the 1961 act requires the normal production of the 10-percent diversion to be counted as actual production (200 bushels), penalty wheat can be withdrawn only to the extent that production falls below 1,600 bushels. This was not intended, and the bill would correct the errors described herein. Under the bill the 10-percent diversion would not be described as an underplanting of the allotment, nor would the normal production of the 10-percent diversion be counted as actual production.

The Department of Agriculture favors enactment and points out in its report that the present requirement creates an inequity between producers who participate in the diversion program and those who do not. Those who do not divert the 10-percent reduction are not required to count its normal production as actually produced for the purpose of determining the amount of penalty wheat from a previous crop which can be withdrawn without penalty. If the bill is enacted, the same rule will apply to producers who do participate in the diversion program.

The report of the House Committee on Agriculture is attached hereto.

[H. Rept. 1148, 87th Cong., 1st sess.]

The Committee on Agriculture, to whom was referred the bill (H.R. 8842) to amend subsection (h) of section 124 of the Agricultural Enabling Amendments Act of 1961, having considered the same, report favorably thereon with amendments and recommend that the bill do pass.

The amendments are as follows:

Page 1, beginning on line 5 strike out the word "following" and all of line 6 and insert "striking out the words 'diverted acres' and inserting in lieu thereof 'acres diverted from the 1962 allotment' ".

PURPOSE

The purpose of this bill is to correct an unintentional inequity in the 1962 wheat program relating to the release of stored wheat in the event of underproduction.

NEED FOR THE LEGISLATION

The need for the legislation is explained in the report of the Department of Agriculture which is appended hereto and made a part of this report.

COST

There would be no additional cost to the Federal Government as a result of this legislation.

DEPARTMENTAL APPROVAL

Following is a letter from the Department of Agriculture recommending enactment of the bill with a clarifying amendment. The amendment recommended by the Department has been adopted by the committee.

SEPTEMBER 6, 1961.

HON. HAROLD D. COOLEY,
*Chairman, Committee on Agriculture,
House of Representatives.*

DEAR MR. COOLEY: This is in reply to your request of August 29, 1961, for a report on H.R. 8842, a bill to amend subsection (h) of section 124 of the Agricultural Enabling Amendments Act of 1961.

This Department recommends the enactment of H.R. 8842 with a slight change in the language thereof which is for the purpose of clarity.

H.R. 8842 would correct an inequity in existing law with respect to determining production of 1962 crop wheat for the purpose of releasing wheat from storage on account of underproduction on a participating farm under the 1962 wheat stabilization program. The effect of this inequity is reflected between producers who plant within their farm wheat acreage allotment but do not comply with the conservation phase of the program and producers who fully participate in both the acreage allotment and conservation phases of the program.

Under this bill, a producer would be permitted to withdraw from his stored excess an amount of wheat equal to the amount by which the normal production of his 1962 farm wheat acreage allotment exceeded the actual production on the farm plus the normal production of the acreage voluntarily diverted under the 1962 wheat stabilization program from the final 1962 allotment. Thus, the bill would make the provisions for withdrawal of stored excess wheat about the same as they were under the 1961 and prior programs. For example, a producer whose actual yield was 5 bushels per acre below the farm normal yield of 20 bushels per acre on a 100-acre allotment in 1961 could withdraw 500 bushels from his stored excess. Under existing law, this producer would harvest 90 acres in 1962, his reduced allotment, and if his yield was 5 bushels per acre below the farm normal yield of 20 bushels per acre (450 bushels total), he could withdraw from his stored excess only 250 bushels. Under H.R. 8842, this producer could reduce his stored excess by 450 bushels, the amount of the underproduction on his 1962 allotment.

It is our view that the existing provisions of law relating to the withdrawal of stored excess wheat are equitable when applied to the acreage voluntarily diverted from production from the 1962 allotment, but inequitable when applied to the acreage involved in the 10 percent mandatory reduction from the 1962 preliminary allotment based on a national allotment.

of 55 million acres, since the allotment on which the normal production of the farm would be computed has already been reduced by the 10 percent.

For the purpose of clarification, we would recommend that the bill be amended by striking out at the end of the bill all the language beginning with the word "following" at the end of line 5 and inserting in lieu thereof the language "striking out the words 'diverted acres' and inserting in lieu thereof the language 'acres diverted from the 1962 allotment.' "

The Bureau of the Budget advises that there is no objection to the submission of this report from the standpoint of the administration's program.

Sincerely yours,

CHARLES S. MURPHY,
Under Secretary.

CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

PUBLIC LAW 87-128

(87th Cong., approved August 8, 1961)

AN ACT To improve and protect farm prices and farm income, to increase farmer participation in the development of farm programs, to adjust supplies of agricultural commodities in line with the requirements therefor, to improve distribution and expand exports of agricultural commodities, to liberalize and extend farm credit services, to protect the interest of consumers, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Agricultural Act of 1961".

* * * * *

TITLE I—SUPPLY ADJUSTMENT AND PRICE STABILIZATION

SEC. 101. This title may be cited as the "Agricultural Enabling Amendments Act of 1961".

* * * * *

SUBTITLE B—1962 WHEAT PROGRAM

* * * * *

SEC. 124. (a) If marketing quotas are in effect for the 1962 crop of wheat, producers on any farm, except a farm on which a new farm wheat allotment is established for the 1962 crop, in the commercial wheat-producing area shall be entitled to payments determined as provided in subsection (b) upon compliance with the conditions hereinafter prescribed:

(1) Such producers shall divert from the production of wheat an acreage on the farm equal to either (i) 10 per centum of the highest actual acreage of wheat planted on the farm for harvest in any of the years 1959, 1960, or 1961: *Provided*, That such acreage in each of such years did not exceed 15 acres, or (ii) 10 per centum of the farm acreage allotment for the 1962 crop of wheat which would be in effect except for the reduction thereof as provided in section 334(c)(2) of the Agricultural Adjustment Act of 1938, as amended.

(2) In 1962, such diverted acreage shall be devoted to conservation uses including summer fallow, approved by the Secretary, and such measures shall be taken as the Secretary may deem appropriate to keep such diverted acreage free from insects, weeds, and rodents: *Provided*, That such diverted acreage may be devoted to castor beans, guar, safflower, sunflower, or sesame, if designated by the Secretary, subject to the condition that no payment shall be made with respect to diverted acreage devoted to any such commodity.

(3) The total acreage of cropland on the farm in 1962 devoted to soil-conserving uses, including summer fallow and idle land, but excluding the acreage diverted as provided above and acreage diverted under the special 1962 program for feed grains, shall not be less than the total average acreage of cropland devoted to soil-conserving uses including summer fallow and idle land on the farm in 1959 and 1960. Certification by the producer with respect to such acreage may be accepted as evidence of compliance with the foregoing provision. The total average acreage devoted to soil-conserving uses, including summer fallow and idle land, in 1959 and 1960 shall be subject to adjustment to the extent the Secretary determines appropriate for abnormal weather conditions or other factors, affecting production, established crop-rotation practices on the farm, changes in the constitution of the farm, participation in other Federal farm programs, or to give effect to the provisions of law relating to release and re-apportionment or preservation of history.

(4) If the diversion of acreage is made pursuant to the provisions of (1)(i) of this subsection (a), the actual acreage of wheat planted on the farm for harvest in 1962 shall not exceed 90 per centum of the highest actual acreage of wheat planted on the farm for harvest in any of the years 1959, 1960, or 1961; and if the diversion of acreage is made pursuant to the provisions of (1)(ii) of this subsection (a), the farm shall be in compliance with the 1962 farm wheat acreage allotment.

(b)(1) Upon compliance with the conditions prescribed in subsection (a) producers on the farm shall be entitled to payments which shall be made by Commodity Credit Corporation in cash or wheat equal to 45 per centum of the value, at the basic county support rate per bushel for No. 1 wheat of the 1961 crop for the county in which the farm is considered as being located for the administration of farm marketing quotas for wheat in effect at the time the payment rates for the 1962 special wheat program are established, adjusted to reflect changes between the national support rates for the 1961 and 1962 crops, of the number of bushels equal to the adjusted yield per acre of wheat for the farm, multiplied by the number of diverted acres other than acres devoted to castor beans, guar, safflower, sunflower, or sesame.

(2) The Secretary may make such adjustments in yields for the 1959 and 1960 crop years as he determines necessary to correct for

abnormal factors affecting production, and to give due consideration to tillable, acreage, crop rotation practices, type of soil, soil and water conservation measures, and topography. To the extent that a producer proves the actual yields for the farm for the 1959 and 1960 crop years, such yields shall be used in making determinations.

(3) The Secretary shall provide by regulations for the sharing of payments among producers on the farm on a fair and equitable basis. The medium of payment shall be determined by the Secretary. If payments are made in wheat, the value of the payments in cash shall be converted to wheat at the market price of wheat as determined by Commodity Credit Corporation. Wheat received as payment-in-kind may be marketed without penalty but shall not be eligible for price support.

(c)(1) Producers who divert acreage on the farm under subsection (a) may divert additional acreage on the farm not in excess of the larger of three times the amount diverted under subsection (a) or such acreage as will bring the total acreage diverted to 10 acres: *Provided*, That the total acreage diverted under subsection (a) and this subsection (c) shall not exceed the larger of (i) the highest actual acreage of wheat planted on the farm for harvest for any of the years 1959, 1960, or 1961, but not to exceed 10 acres or (ii) the 1962 wheat acreage allotment.

(2) Payments shall be made with respect to the acreage diverted under this subsection (c) in accordance with the terms and conditions prescribed in subsection (a): *Provided*, That (i) 60 per centum shall be substituted for 45 per centum in computing the amount of the payment, (ii) the acreage diverted under this subsection (c) shall be added to and deemed to be acreage diverted under subsection (a) for the purposes of paragraphs (2) and (3) of subsection (a), and (iii) if the diversion under subsection (a) is made pursuant to (1)(i) of said subsection, the actual acreage planted to wheat for harvest on the farm in 1962, shall be reduced below the highest actual acreage of wheat planted on the farm for harvest in any of the years 1959, 1960, or 1961, by the total amount of acres diverted under subsection (a) and this subsection (c), or, if the diversion under subsection (a) is made pursuant to (1)(ii) of said subsection, the 1962 wheat acreage on the farm shall be reduced by the total amount of acres diverted under subsection (a) and this subsection (c) below whichever of the following acreages is the larger—

(A) the farm acreage allotment for the 1962 crop of wheat which would be in effect except for the reduction thereof as provided in section 334(c)(2) of the Agricultural Adjustment Act of 1938, as amended;

(B) the highest actual acreage of wheat planted on the farm for harvest for any of the years 1959, 1960, or 1961, but not to exceed fifteen acres.

(d) Any acreage diverted from the production of wheat to conservation uses for which payment is made under the program formulated pursuant to this section shall be in addition to any acreage diverted to conservation uses for which payment is made under any other Federal program except that the foregoing shall not preclude the making of cost-sharing payments under the agricultural conservation program or the Great Plains program for conservation practices carried out on any acreage devoted to soil-conserving uses under the program formulated pursuant to this section.

(e) The Secretary may provide for adjusting any payment on account of failure to comply with the terms and conditions of the program formulated under this section.

(f) Not to exceed 50 per centum of any payment to producers under this section may be made in advance of determination of performance.

(g) The program formulated pursuant to this section may include such terms and conditions, in addition to those specifically provided for herein, as the Secretary determines are desirable to effectuate the purposes of this section.

(h) Wheat stored to avoid or postpone a marketing quota penalty under the Agricultural Adjustment Act of 1938, as amended and supplemented, shall not be released from storage for underplanting based upon acreage diverted under subsection [(a) or] (c) above, and in determining production of the 1962 crop of wheat for the purpose of releasing wheat from storage on account of underproduction the normal yield of the [diverted acres] *acres diverted from the 1962 allotment* shall be deemed to be actual production of 1962 wheat.

(i) The Secretary is authorized to promulgate such regulations as may be necessary to carry out the provisions of this section.

(j) The Commodity Credit Corporation is authorized to utilize its capital funds and other assets for the purpose of making the payments authorized herein and to pay administrative expenses necessary in carrying out this section during the period ending June 30, 1962. There is authorized to be appropriated such amounts as may be necessary thereafter to pay such administrative expenses.



Calendar No. 1188

87TH CONGRESS
2^D SESSION

H. R. 8842

[Report No. 1209]

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 19 (legislative day, SEPTEMBER 16), 1961

Read twice and referred to the Committee on Agriculture and Forestry

FEBRUARY 8, 1962

Reported by Mr. YOUNG of North Dakota, without amendment

AN ACT

To amend subsection (h) of section 124 of the Agricultural
Enabling Amendments Act of 1961.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That subsection (h) of section 124 of the Agricultural En-
4 abling Amendments Act of 1961 be amended by striking,
5 following the word “subsection”, “(a) or”, and striking out
6 the words “diverted acres” and inserting in lieu thereof
7 “acres diverted from the 1962 allotment”.

Passed the House of Representatives September 18, 1961.

Attest:

RALPH R. ROBERTS,

Clerk.

87TH CONGRESS
2^D SESSION

H. R. 8842

[Report No. 1209]

AN ACT

To amend subsection (h) of section 124 of the
Agricultural Enabling Amendments Act of
1961.

SEPTEMBER 19 (legislative day, SEPTEMBER 16), 1961
Read twice and referred to the Committee on
Agriculture and Forestry

FEBRUARY 8, 1962

Reported without amendment

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For information only;
should not be quoted
or cited)

Issued February 21, 1962
For actions of February 20, 1962
87th-2d, No. 24

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HIGHLIGHTS: Both Houses received pay reform bill. Senate passed bills to: Permit summer fallow lands to participate in feed grains program. Permit producers to withdraw wheat from stored excess supplies. Rep. Rains urged increase in ACP authorization. Rep. Short criticized farm bill.

SENATE

1. **PERSONNEL; PAY.** Both Houses received the President's Federal pay reform message (H. Doc. 344) (pp. 2326-8, 2360-2). The President proposed an overall average pay raise of 10 percent for classified employees, ranging from approximately 3.7 percent in the lower grades to 35 percent in the upper grades, to become effective over a three-year period beginning Jan. 1, 1963. He stated that the proposal would enlarge the differences in salaries between the entry rates of successive grade levels by not less than 10 percent, provide wider salary ranges within each grade, and "create new upper grades to bring within the salary provisions of the Classification Act all those with top administrative responsibilities who are not Cabinet or sub-Cabinet officers or heads of separate agencies. He stated that the proposal also provides that the President shall submit an annual report to Congress on the relationship of Federal salaries to those reported by the Bureau of Labor Statistics for private enterprise, recommending whatever adjustments in salary schedules, structure, and policy he finds advisable.

2. FEED GRAINS. Passed as reported S. 2533, to permit farmers in summer fallow areas to receive barley, corn, and grain sorghum price support and to participate in the corn and grain sorghum diversion program provided they reduce their corn and grain sorghum acreage to the extent necessary to bring their acreage of corn, grain sorghum, and barley down to not more than 80 percent of the 1959-60 average of those three crops. pp. 2357-8
3. WHEAT. Passed without amendment H. R. 8842, to amend the Agricultural Act of 1961 so as to permit a wheat producer to withdraw from his stored excess the amount of wheat by which he fails to make his normal production on the reduced acreage allotment, less the acres voluntarily retired below the allotment. This bill now be sent to the President. pp. 2358-9
4. RESERVOIR AREAS. Passed without amendment H. R. 4934, to authorize the adjustment by mutual agreement of rental rates under leases for commercial recreational facilities on Forest Service lands at Federal reservoir projects when in the public interest. This bill will now be sent to the President. p. 2357
5. RICE ALLOTMENTS. Passed without amendment H. R. 9013, to provide for the transfer of rice acreage history where a producer withdraws from the production of rice. This bill will now be sent to the President. p. 2357
6. SOIL CONSERVATION LAND. Passed over, at the request of Sen. Smathers, S. 875, to authorize the Secretary of Agriculture to convey to Wyoming for agricultural purposes the SCS Farson Pilot Farm in Sweetwater County, Wyo. p. 2357
7. HOUSING. By a vote of 42 to 58, rejected a motion by Sen. Randolph that the Government Operations Committee be discharged from further consideration of S. Res. 288, opposing the President's Reorganization Plan No. 1 to provide for the establishment of a Department of Urban Affairs and Housing. pp. 2309-26, 2352-4
8. FARM LABOR. Sen. Pell urged enactment of legislation to provide Federal assistance to migratory farm workers and inserted an editorial supporting enactment of such legislation. p. 2351
9. DAIRY PROGRAM. Sen. Proxmire inserted his statement regarding his recent tour of Wisc. in which he states that "President Kennedy's new dairy proposal is in serious trouble," and lists a number of objections to the program. pp. 2337-8
10. FORESTRY. Sen. Proxmire urged additional funds for forestry research, particularly to expand the physical plant at the Forest Products Laboratory in Madison, Wisc., and inserted a letter from the Governor of Wisc. to Secretary Freeman urging his support for additional funds. pp. 2336-7
11. LANDS. Received from GSA a proposed bill "to amend section 3470 of the Revised Statutes to authorize the heads of departments and independent agencies to appoint agents to bid on behalf of the United States, at sales, on execution at the suit of the United States, of lands or tenements of a debtor"; to Government Operations Committee. p. 2329
12. FOREIGN TRADE. Sen. Javits discussed "the issues involved in my alternative approach to President Kennedy's goal of trade expansion," and inserted several articles on the subject. pp. 2342-7

CONVEYANCE OF CERTAIN REAL PROPERTY OF THE UNITED STATES

The bill (H.R. 1375) to provide for the conveyance of certain real property of the United States to the former owners thereof was considered, was ordered to a third reading, was read the third time, and passed.

Mr. SMATHERS. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1204), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

This bill provides for the reconveyance, without consideration, to the original donors, of 1.0027 acres¹ which was given to the United States for a lookout fireman station. The Forest Service has not used the property for the intended purpose, has placed no permanent improvements on it, and has no present or foreseeable need for it. The Department of Agriculture has no objection to the bill.

The report of the House Committee on Agriculture is attached.

[H. Rept. 880, 87th Cong., 1st sess.]

The Committee on Agriculture, to whom was referred the bill (H.R. 1375), to provide for the conveyance of certain real property of the United States to the former owner thereof, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE

The purpose of H.R. 1375 is to return to its former owners approximately 1 acre of land which was donated to the United States in 1946 and has never been used for the purpose intended.

EXPLANATION

In 1946 Richard V. Evans and his wife donated to the United States a tract of land of approximately 1 acre in Elsinore, Riverside County, Calif., to be used by the Forest Service for construction and maintenance of a lookout fireman station. Since that time forest fire protection in the locality has been, and is now being, provided by the State under a cooperative agreement with the Forest Service and the land has never been used for the purpose for which it was donated. Neither the State nor the Forest Service has any present or foreseeable future need for the donated tract.

COST

Since the United States received this tract of land as a donation and has not placed thereon any permanent improvements, its return to the former owners will not result in any cost to the United States.

RECREATION FACILITIES IN RESERVOIR AREAS

The bill (H.R. 4934) to authorize the Secretary of Agriculture to modify certain leases entered into for the provision of recreation facilities in reservoir areas

¹The Department's report and records in Washington show the acreage as 1.0027. The bill describes it as "one and twenty-seven thousandths acres, more or less." The Department advises that so far as it knows its records are correct, but the only way to be sure would be to check the deed. Since the area is described in the bill as "more or less" the difference is so small, and the tract is otherwise clearly identified, the committee did not consider it necessary to verify the area or amend the bill.

was considered, was ordered to a third reading, was read the third time, and passed.

Mr. SMATHERS. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1205), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

This bill authorizes adjustment by mutual agreement of rental rates under leases for commercial recreational facilities on Forest Service lands at Federal reservoir projects when in the public interest. Most such leases already provide for such renegotiation, but some do not. Renegotiation may be necessary to provide for the development and maintenance of satisfactory public service facilities. During the first session of this Congress, S. 48 (Public Law 87-236) was passed providing similar renegotiation authority for the Corps of Engineers.

The report of the House Committee on Agriculture is attached.

HOUSE REPORT NO. 1104, 87TH CONGRESS, 1ST SESSION

The Committee on Agriculture, to whom was referred the bill (H.R. 4934) to authorize the Secretary of Agriculture to modify certain leases entered into for the provision of recreation facilities in reservoir areas, having considered the same, report favorably thereon with amendments and recommend that the bill do pass.

The amendments are as follows:

Page 1, line 3, strike out "Chief of Forest Service, under the supervision of the".

Page 1, line 4, delete the comma after the word "Agriculture".

Page 1, line 5, strike out the words "before November 1, 1956," and insert "with respect to lands under the jurisdiction of the Forest Service".

Page 1, lines 7 and 8, strike out "water resource development project under the jurisdiction of the Secretary of Agriculture" and insert "Federal reservoir project".

Page 2, line 3, strike out "or extension".

PURPOSE

The purpose of this bill is to authorize the Secretary of Agriculture, when he deems such action to be in the public interest, to renegotiate the terms of leases entered into for the construction and operation of recreational facilities in recreation areas administered by the Forest Service.

NEED FOR THE LEGISLATION

Need for the legislation is described in detail in the letter from the Department of Agriculture which is appended hereto and made a part of this report. Briefly, the legislation is required to permit renegotiation of leases which were entered into, generally prior to 1956, and which do not contain a renegotiation clause. Most of the leases entered into since that time have contained such a provision. In the absence of this legislation, in order to renegotiate the terms of a lease not having the renegotiation clause, it would be necessary to open the whole lease up to rebidding and reissuance.

COST

There would be no additional cost to the Federal Government as the result of this legislation.

CONVEYANCE OF CERTAIN LANDS TO STATE OF WYOMING FOR AGRICULTURAL PURPOSES—BILL PASSED OVER

The bill (S. 875) to authorize and direct the Secretary of Agriculture to con-

vey to the State of Wyoming for agricultural purposes certain real property in Sweetwater County, Wyo., was announced as next in order.

Mr. SMATHERS. Mr. President, I ask that we pass over that bill and proceed to consider Calendar No. 1186, H.R. 9013.

The VICE PRESIDENT. Without objection, the bill will be passed over.

TRANSFER OF RICE ACREAGE

The bill (H.R. 9013) to provide for the transfer of rice acreage history where producer withdraws from the production of rice was considered, was ordered to a third reading, was read the third time, and passed.

Mr. SMATHERS. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1207), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

EXPLANATION OF BILL

This bill makes express statutory provision for succession to rice acreage history in States and areas where rice acreage allotments are apportioned on the basis of producer acreage history. The Department of Agriculture has made provision in the past for such succession by regulation without clear legislative authority therefor; and the bill, with slight exceptions, follows the Department's regulations. The Department favors enactment. Rice allotments are currently based on producer history in California, Texas, Tennessee, North Carolina, Florida, and parts of Louisiana. Succession would be as follows:

(1) If the producer dies, his production history passes to his heirs or devisees continuing his farming operations.

(2) If the producer withdraws in whole or in part from rice production in favor of members of his family who succeed to his farming operations, the production history ascribed to such withdrawal may be transferred to such members.

(3) If the producer permanently withdraws from rice production, his history may be transferred to experienced rice producers acquiring his entire rice farming operation. The transfer in this case would be canceled if the transferee did not plant 90 percent of his total allotment for at least 3 of the 4 years following the transfer.

(4) Upon dissolution of a partnership, the partnership history will be divided among the partners as agreed by them; except that if the partnership was formed in an allotment year and dissolved in less than 3 crop years, the history would be divided in the same proportion as the partners had contributed to the first partnership allotment.

COST

There would be no additional cost to the Government resulting from this legislation.

AMENDMENT TO SOIL CONSERVATION AND DOMESTIC ALLOTMENT ACT

The Senate proceeded to consider the bill (S. 2533) to amend subsection (d) of section 16 of the Soil Conservation and Domestic Allotment Act, as amended, which had been reported from the Committee on Agriculture and Forestry with an amendment to strike out all after the enacting clause and insert:

That section 105(c)(4) of the Agricultural Act of 1949 is amended by changing the parenthetical statement in the first sentence to read as follows: "(except in the case of a producer of malting barley as hereinafter described and except in the case of a producer of barley on a summer-fallow farm as hereinafter described)", and by changing the period at the end of such section to a colon and adding the following: "Provided further, That no producer of barley on a farm where summer fallow is the normal practice shall be required to participate in the special agricultural conservation program for 1962 for barley if he (i) does not knowingly devote an acreage on the farm to barley in excess of the average acreage devoted on the farm to barley in 1959 and 1960 plus the acreage devoted to summer fallow in 1961 which is diverted from the production of wheat under the special 1962 wheat program, and (ii) does not knowingly devote an acreage on the farm to corn, grain sorghums, and barley in excess of 80 per centum of the average acreage devoted on the farm to corn, grain sorghums, and barley in 1959 and 1960."

SEC. 2. Section 16(d)(1) of the Soil Conservation and Domestic Allotment Act is amended by changing the parenthetical statement in the second sentence to read as follows: "(other than a producer of malting barley as described in section 105(c)(4) of the Agricultural Act of 1949, or a producer of barley on a summer-fallow farm as described in such section)", and by inserting after the second sentence a new sentence reading as follows: "The excess, if any, of the acreage devoted to barley in 1962 on a summer-fallow farm as described in section 105(c)(4) of the Agricultural Act of 1949 over the average acreage devoted to barley on such farm in 1959 and 1960 shall be considered as planted to corn and grain sorghums for the purpose of determining extent of participation and payments under the special agricultural conservation program for 1962 for corn and grain sorghums."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

The title was amended, so as to read:

A bill to amend the requirements for participation in the 1962 feed grain program.

Mr. SMATHERS. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1208), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

The bill, with the committee amendment, would preserve the eligibility of a producer on a summer fallow farm for—

(1) 1962 crop price support on corn, grain sorghum, and barley; and

(2) participation in the 1962 corn and grain sorghum diversion program even though the farm's 1962 barley acreage exceeds in 1959-60 average barley acreage, if—

(i) such excess does not exceed the acreage summer fallowed in 1961 and diverted from the production of wheat under the 1962 wheat diversion program, and

(ii) the farm's total 1962 acreage of corn, grain sorghums, and barley does not exceed 80 percent of its 1959-60 average of those three grains.

The Agricultural Act of 1961, providing for the diversion of land from wheat in 1962, was enacted after farmers had already summer fallowed their land for 1962 wheat production. In order to keep the soil from blowing during the winter many farmers planted barley on the acreage which had been summer fallowed for wheat and which

was diverted from wheat. This bill is designed to permit such farmers, without plowing up their barley, to receive barley, corn, and grain sorghum price support and to participate in the corn and grain sorghum diversion program. In order to do so they would have to reduce their corn and grain sorghum acreage to the extent necessary to bring their acreage of corn, grain sorghum, and barley down to not more than 80 percent of the 1959-60 average acreage of those three crops.

Diversion payments could not be made under the corn and grain sorghum diversion program for an acreage in excess of the net reduction in corn, grain sorghum, and barley acreage on the farm. Any increase in barley acreage would be deducted from the farm reduction in corn and grain sorghum acreage to determine the extent of the farm's participation in the corn and grain sorghum program. For instance, assume a farm with a barley base of 70 acres, a corn and sorghum base of 100 acres, and a wheat diversion of 20 acres. If the farm planted 90 acres of barley, it would have to reduce its corn and sorghum acreage to 46 acres to qualify for barley, corn, and sorghum price support (90 barley plus 46 corn and sorghum equals 136 acres, or 80 percent of 170 acres). Although the farm reduced its corn and sorghum acreage by 54 acres, only 34 acres of this reduction (after deducting the added 20 acres of barley) would count toward participation and payments under the corn and sorghum program.

Mr. CARLSON. Mr. President, Senate 2533, which amends the Soil Conservation and Domestic Allotment Act, was introduced near the end of the 1st session of the 87th Congress.

The Department of Agriculture filed a favorable report on it at that time, but the legislative calendar was such that we did not get action on it.

The bill is drafted so as to permit farmers to plan barley on land taken out of wheat production and make barley interchangeable with other feed grains.

This proposed legislation applies particularly to areas in Kansas, eastern Colorado, Nebraska, and the northern counties of the Panhandle of Texas and the Oklahoma Panhandle, where summer fallow practices are used for the seeding of wheat.

Unless this summer fallow is covered, preferably by a growing crop, it will be threatened by severe wind erosion and the land severely damaged. Many wheat growers in this area, who were unable to use barley as a cover crop last fall, planted their entire allotment acreage to wheat.

The signup under the 1962 feed grain program is now in progress and the report from the Department of Agriculture, dated February 7, 1962, states that the Department still favors enactment of S. 2533 if congressional action on the bill can be completed before the end of the signup period.

This bill permits a farmer to plant winter crops to keep his land from blowing and then the next summer make a comparable reduction from his corn or grain sorghum acreage. There is no way whereby the total acreage when planted to feed can be increased. Any increase in barley will be exactly balanced by a like reduction in corn and grain sorghum.

Mr. President, I ask unanimous consent that the letter from the Secretary

of Agriculture, Mr. Freeman, to the Committee on Agriculture and Forestry, February 7, 1962, regarding S. 2533, may be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF AGRICULTURE,
Washington, D.C., February 7, 1962.

Hon. ALLEN J. ELLENDER,
Chairman, Committee on Agriculture and Forestry, U.S. Senate.

DEAR SENATOR ELLENDER: This is in reply to a telephone request from Mr. Harker Stanton of your committee staff for the Department's present views on the enactment of S. 2533, a bill to amend subsection (d) of section 16 of the Soil Conservation and Domestic Allotment Act, as amended.

Although the signup under the 1962 feed grain program is now in progress, the Department still favors the enactment of S. 2533 if amended in accordance with the draft bill submitted with our letter of September 19, 1961, and congressional action on the bill can be completed before the end of the signup period which is March 30, 1962.

In discussing the provisions of the Department's proposed bill with Mr. Stanton, we have agreed on a clarifying amendment to the bill which will make it more understandable with respect to its application in determining the overall reduction in corn, grain sorghum, and barley acres and diversion payments on summer fallow farms. The amendment to the proposed bill would be made by changing the period at the end of section 2 to a comma and adding the following: "and by inserting after the second sentence a new sentence to read as follows: 'The excess, if any, of the acreage devoted to barley in 1962 on a summer fallow farm as described in section 105(c)(4) of the Agricultural Act of 1949 over the average acreage devoted to barley on such farm in 1959 and 1960 shall be considered as planted to corn and grain sorghums for the purpose of determining the extent of participation and payments under the special agricultural conservation program for 1962 for corn and grain sorghums.'"

Attached is a revised draft of the Department's proposed bill which contains the amendment outlined above.

Sincerely yours,

ORVILLE L. FREEMAN,
Secretary.

AMENDMENT TO THE AGRICULTURAL ENABLING AMENDMENTS ACT OF 1961

The bill (H.R. 8842) to amend subsection (h) of section 124 of the Agricultural Enabling Amendments Act of 1961 was considered, was ordered to a third reading, was read the third time, and passed.

Mr. SMATHERS. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1209), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

This bill would correct an error in the 1962 wheat program law with respect to the withdrawal of excess wheat stored from a previous crop to avoid payment of penalty. Release of excess wheat from a previous crop is permitted either where the allotment is underplanted or where the actual production is less than the normal production of the acreage allotment.

Under the 1962 wheat program wheat allotments were reduced 10 percent below what they otherwise would have been, and the 10

percent reduction was required to be diverted from crop production as a condition of price support.

Section 124(h) of the Agricultural Enabling Amendments Act of 1961 provides that underplanting of the allotment resulting from the 10 percent diversion should not be the basis for withdrawal of penalty wheat. While this provision causes no harm, it is not correct to refer to the 10-percent diversion as an underplanting of the allotment, since the 10 percent represents a reduction in, rather than an underplanting of, the allotment.

Similarly, section 124(h) provides that the normal production of the diverted acres shall be deemed actual production for the purpose of determining whether the actual production is less than the normal production of the allotment. Since the 10 percent diversion represents no diversion from the acreage allotment, it should not be deemed as having produced any quantity of wheat for this purpose. This provision of the 1961 act reduces the amount of penalty wheat which may be withdrawn from storage by farms having crop failures even though they comply with their allotments. For instance, a farm which otherwise would have received a 100-acre allotment receives only 90 acres by reason of the 10-percent reduction. Assuming a 20 bushel per acre normal production, the normal production of the acreage allotment is 1,800 bushels. Ordinarily, if the actual production was less than 1,800 bushels, the difference between 1,800 bushels and the actual production could be withdrawn from penalty wheat of a previous crop. However, since the 1961 act requires the normal production of the 10-percent diversion to be counted as actual produc-

tion (200 bushels), penalty wheat can be withdrawn only to the extent that production falls below 1,600 bushels. This was not intended, and the bill would correct the errors described herein. Under the bill the 10-percent diversion would not be described as an underplanting of the allotment, nor would the normal production of the 10-percent diversion be counted as actual production.

The Department of Agriculture favors enactment and points out in its report that the present requirement creates an inequity between producers who participate in the diversion program and those who do not. Those who do not divert the 10-percent reduction are not required to count its normal production as actually produced for the purpose of determining the amount of penalty wheat from a previous crop which can be withdrawn without penalty. If the bill is enacted, the same rule will apply to producers who do participate in the diversion program.

APPOINTMENTS BY THE VICE PRESIDENT TO THE PARLIAMENTARY CONFERENCE WITH CANADA

The VICE PRESIDENT. The Chair appoints to attend the Parliamentary Conference with Canada the following Senators: The Senator from Florida [Mr. HOLLAND], the Senator from Louisiana [Mr. LONG], the Senator from New Jersey [Mr. WILLIAMS], the Senator from Connecticut [Mr. DODD], the Senator from Michigan [Mr. McNAMARA], the Senator from Missouri [Mr. SYMINGTON],

the Senator from Oregon [Mrs. NEUBERGER], the Senator from Vermont [Mr. AIKEN], the Senator from Idaho [Mr. DWORSHAK], the Senator from South Dakota [Mr. CASE], the Senator from Nebraska [Mr. HRUSKA], and the Senator from Delaware [Mr. BOGGS].

Mr. SMATHERS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SMATHERS in the chair). Without objection, it is so ordered.

ADJOURNMENT

Mr. MANSFIELD. Mr. President, in view of the circumstances attendant upon the flight of Lt. Col. John H. Glenn, Jr., of the U.S. Marine Corps in his orbit around the world, and due to the fact that we have disposed of a fairly good amount of legislation this afternoon, I move that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 2 o'clock and 30 minutes p.m.), the Senate adjourned until tomorrow, Wednesday, February 21, 1962, at 12 o'clock meridian.

House of Representatives

TUESDAY, FEBRUARY 20, 1962

The House met at 12 o'clock noon.

The chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Philippians 3: 14: *I press toward the mark for the prize of the high calling of God in Christ Jesus.*

Eternal God, we humbly confess that daily we are looking out upon a weary and bewildered humanity for whom the hard facts and experiences of life seem to be without sequence and significance.

Grant that we may be blessed with the spirit of sympathy and understanding and seek to minister to the deep longings and needs of mankind with the grace of generosity and good will.

Inspire us with a vision of the grandeur of a life that gives itself in devotion to Thee and puts itself on the side of faith and strives through discipline and effort to become morally and spiritually fit to attain unto the high calling of God in Christ Jesus, our Lord.

O Thou who art here and everywhere, we are sending our thoughts of love and good cheer to our fellow citizen who on this day is courageously carrying out a great mission for our beloved country and all for Thy glory.

Hear us in the name of the Christ our Lord. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Ratchford, one of his secretaries, who also informed the House that on the following dates the President approved and signed a joint resolution and bills of the House of the following titles:

On February 13, 1962:

H.J. Res. 612. Joint resolution making supplemental appropriations for the Veterans' Administration for the fiscal year ending June 30, 1962, and for other purposes.

On February 16, 1962:

H.R. 2147. An act for the relief of Kenneth Stultz;

H.R. 2973. An act for the relief of Anthony Robert Lowry (Antonio Plantadosi);

H.R. 3710. An act for the relief of Giles L. Matthews;

H.R. 4194. An act for the relief of Mrs. Ann W. Edwards;

H.R. 4211. An act for the relief of Alessandro Bottero;

H.R. 4280. An act for the relief of Dimitri Elias Sartan;

H.R. 4381. An act for the relief of Walter H. Hanson;

H.R. 4876. An act for the relief of Mary C. Atkinson;

H.R. 5181. An act to amend Private Law 85-699;

H.R. 5324. An act for the relief of Dr. Serafin T. Ortiz;

H.R. 6025. An act to confer jurisdiction on the U.S. Court of Claims to hear, determine, and render judgment on the claim of George Edward Barnhart against the United States;

H.R. 6120. An act for the relief of Francis Ainsworth;

H.R. 6226. An act for the relief of Arlin David English;

H.R. 6243. An act extending to Guam the power to enter into certain interstate compacts relating to the enforcement of the criminal laws and policies of the States;

H.R. 6644. An act for the relief of Julius Benikosky;

H.R. 6938. An act for the relief of Dr. Robert E. Hiller;

H.R. 7473. An act for the relief of Albert R. Serpa;

H.R. 7740. An act for the relief of Mrs. Sharon Lee Harden;

H.R. 8325. An act for the relief of Harrison Thomas Harper; and

H.R. 8779. An act for the relief of George B. Olmstead.

On February 19, 1962:

H.R. 2470. An act to provide for the establishment of the Lincoln Boyhood National Memorial in the State of Indiana, and for other purposes.

FEDERAL PAY REFORM MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 344)

The SPEAKER laid before the House the following message from the President of the United States, which was read, referred to the Committee on Post Office and Civil Service, and ordered to be printed:

To the Congress of the United States:

The success of this Government, and thus the success of our Nation, depend in the last analysis upon the quality of our career services. The legislation enacted by the Congress, as well as the decisions made by me and the Department and Agency heads, must all be implemented by the career men and women in the Federal service. In foreign affairs, national defense, science and technology, and a host of other fields, they face unprecedented problems of unprecedented importance and perplexity. We are all dependent on their sense of loyalty and responsibility as well as their competence and energy; and just as they have responsibilities to the Government, so does the Government have obligations to them.

We properly establish high standards for our public servants. We investigate their character and associations before considering them for employment. We hire them only after they have passed difficult examinations. We require them to abide by rigorous standards of conduct and ethics. We demand consistently high performance from them on the job. Accordingly, the salaries for

the services they perform should be fixed under well-understood and objective standards, high enough to attract and retain competent personnel, sufficiently flexible to motivate initiative and industry, and comparable with the salaries received by their counterparts in private life. To pay more than this is to be unfair to the taxpayers—to pay less is to degrade the public service and endanger our national security.

Unfortunately these basic standards for Federal salary systems are not met today. Too many Federal employees are underpaid in proportion to their responsibilities. Too many receive smaller salaries than are paid by many private industries, and even by many States and local governments, for less responsible work. Too many top-grade or supervisory Federal employees are paid little more, and sometimes even less, than their subordinates. Too many key career employees are unable to afford continued public service.

Existing statutory Federal pay structures cannot be justified as sound and equitable, either internally or externally. Internally, salaries between various levels of work should be enough to provide an incentive to undertake more responsible duties and to represent, dollarwise, fair differences in work requirements. Over the years, piecemeal statutory revisions—with primary emphasis on bringing the lower pay levels abreast of changes in the cost of living—have severely compressed the spread between the top and bottom salaries. The 8.8 to 1 and 12 to 1 salary ratios between the highest and lowest Classification Act and postal field service grades existing prior to World War II have shrunk to ratios of less than 6 to 1, making it impossible to offer pay increases consistent with the added responsibilities of grade-to-grade promotion, or to offer an appropriate range of incentives within a particular grade. There is little consistency or logic in the salary differences between existing grade levels. And employees paid under a wage board system, with wages based on the prevailing rates in industry, are frequently paid more than their supervisors whose salaries are fixed by the more rigid and less logical provisions of the Classification Act.

Externally, except for employees paid under wage board systems, Federal salaries generally do not compare favorably and cannot compete successfully with private industry. Every objective survey has demonstrated that salaried Government employees at almost every work level receive less compensation, on a national average basis, than private employees performing similar work—and the greater the level of difficulty and



Public Law 87-410
87th Congress, H. R. 8842
March 3, 1962

An Act

76 STAT. 19.

To amend subsection (h) of section 124 of the Agricultural Enabling Amendments Act of 1961.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (h) of section 124 of the Agricultural Enabling Amendments Act of 1961 be amended by striking, following the word "subsection", "(a) or", and striking out the words "diverted acres" and inserting in lieu thereof "acres diverted from the 1962 allotment".

Wheat storage.
75 Stat. 300.
7 USC 1334
note.

Approved March 3, 1962.

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